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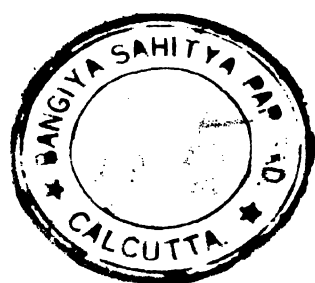
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THE  
**ASIATIC JOURNAL**

AND  
**MONTHLY REGISTER**

FOR  
**British India and its Dependencies :**



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**JANUARY TO JUNE 1829.**

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LINCOLN'S-INN FIELDS.

# THE ASIATIC JOURNAL

FOR

JANUARY, 1829.



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## Original Communications,

*&c. &c. &c.*

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### THE AMERICAN COMMERCE WITH CHINA.

It appears by recent advices from Canton that an important change has taken place in the mode by which the American merchants have of late years conducted their commercial transactions with the Chinese empire. A violent outcry has been raised by those merchants against the supracargoes of the English East-India Company at Canton, on account of their supposed concern in effecting this change, and the mercantile community in America seems to be endeavouring to make the dispute a state affair, which must necessarily lead to some very important discussions between the two governments. The accounts which have reached this country from America have already given rise to much misrepresentation: for although the allegations of the Americans bear on the face of them no case against the Company which can justify complaint on the part of the British public, whose interests in this point are directly at issue with the pretensions of the American merchants, yet such is the prejudice prevailing against the Company in England, and such the astonishing degree of ignorance amongst the bulk of the nation in regard to the Company's concerns, that even this occurrence (all the evidence regarding which we derive solely from a source interested in giving a partial and an unfair hue to it) is perversely distorted into a matter of accusation and reproach against them on the part of their countrymen. We are consequently induced to inquire into the subject.

Although it may be well known that the foreign trade at Canton is confined to an association of merchants, called the Hong, yet as the exact nature of this monopoly constitutes an essential part of the question in the present case, we must make it exactly understood.

As soon as the maritime trade of China with Europeans assumed an approximation to a permanent character, after the internal wars in the empire had ceased, the imperial government placed the foreign trade under the same regulations as the other great departments of revenue, such as salt, for example; that is, it vested the trade in an association of respectable native merchants.

merchants, called a *Hang* (in the provincial pronunciation of Canton, *Hong*), who were entitled *Yang-Hang-shang*, which may be translated "Foreign-trade-Company," to distinguish it from the salt and other *Hangs*. This mercantile body, to which was rigorously confined the external trade with Europeans and others, to the utter exclusion, under severe penalties, of all other natives, was made responsible to the Chinese government for the collection and payment of the imperial duties on merchandize, as well as other demands occasionally made by the government on foreign trade; and was further answerable for the conduct of all foreigners, mariners as well as traders, during their sojourn at the port. To effect these purposes, besides their exclusive privileges, the *Hang* merchants were invested with large powers. At first the *Hang* was a joint association, trading upon a general fund; but this mode of traffic was displeasing to Europeans, and in 1770, on the representation of the supracargoes, backed by a large present, the *Cong-Hong*, as it was termed, was abolished; and the *Hang* merchants have since transacted business individually, though they still remain a body, and assemble for general objects, such as defraying presents and impositions exacted by the imperial officers.

When a foreign vessel arrives in the river of Canton, she is not permitted to land, to trade, or to have any intercourse whatever with the inhabitants of the country, till she is secured by one of the *Hang* becoming her surety, whence the *Hang* are called "security-merchants." The vessel may then deal with any member of the *Hang*.

Such an institution as this is an instrument of pre-eminent utility to a government like that of China, influenced by narrow views in regard to commerce, and jealous to timidity of foreigners; and the whole of its details are under the control of ministers, to whom the prospect of acquiring exorbitant wealth offers almost the sole incentive to office. Hence every attempt to overturn the *Hang*, or break through their monopoly, has been, and will continue to be, ineffectual. No contrivance could by possibility be substituted, which would afford the Chinese government equal security.

In practice, of late years, the severity of this monopoly has been somewhat relaxed; that is, the outside-dealers, or unlicensed merchants, at Canton, have succeeded in driving a petty trade with foreigners, without the actual intervention of a *Hang* merchant. Still, some one of the *Hang* must be nominally the agent, since no goods can be landed or embarked but in the name of one of the *Hang*; and as some of them, through losses, want of integrity, or other causes, are but little employed in regular business, they have lent their sanction to such irregular transactions in consideration of a present or commission. Such a trade has always, however, been regarded as illicit, and consequently hazardous.

The East-India Company, by the extent of their dealings, the unerring regularity of their transactions, their proverbial probity, and the duration of their connexions with China, have obtained a character and influence which have tended, in a great measure, to counteract the mischievous effects which such a combination might have produced to trade. They have also been obliged to sustain the credit of some of the *Hang* merchants who had become insolvent, and who thereby were in some degree under the control of the Company: a power which the latter have exerted to keep down any attempt to fetter trade or enhance the cost of merchandize.

When the Americans began to trade with China to any extent, their method of dealing was entirely discordant with such a system as this. Although they were compelled to trade with the *Hang* in all their large transactions and

and in fact, some of the traders of that nation voluntarily formed considerable speculations in conjunction with several of the associated merchants, yet they were always intent upon a more direct trade with the "buying and selling men," the outside dealers and unlicensed merchants of Canton. Accordingly, by degrees, they have pushed their irregular traffic to some extent, probably with some additional profit to themselves: for it cannot be supposed that a circuitous trade through the Hang could be so profitable to the American traders as a direct traffic with the inferior merchants. With the East-India Company it was otherwise. Their commanding attitude, and the extent and regularity of their purchases, enabled them, in dealing with the Hang, to keep down the prices of Chinese commodities to their minimum; and it is a well attested fact that traders of other nations always contracted for their tea at Canton at the Company's prices. From the same cause, namely, their extensive dealings, and the unexceptionable credit of their character, the East-India Company have always had the selection of the commodities; all the tea brought to the market is first offered to the Company's supracargoes, and other traders purchase what is rejected by them.

Thus it must appear that the Company have judiciously availed themselves of whatever means the institution of the Hang association offered of strengthening English influence in China, and of securing the best supply of its merchandize at the cheapest rate. Whether the abolition of the Hang would furnish still better facilities for these purposes it is useless to inquire, since it must be obvious that no such a measure can be anticipated. The Hang monopoly, moreover, affords some security against the multiplied frauds of the Chinese, than whom no nation probably in existence, or which ever existed, is or was more addicted to artifice. In spite of the vigilance employed by the Company's officers, fraudulent substitutions of rubbish for tea sometimes occur, which are invariably returned upon the hands of the merchant, even if not discovered till the arrival of the packages in England.

The prosecution of an illicit traffic, like that already described, which must necessarily be conducted with some degree of clandestineity, cannot fail to expose the interests of the Company to risk, as well as those of the Government; and we have been assured that fraudulent subductions of the Company's teas have been often effected by means of these underhand dealings, covered by the name of a Hang merchant. Other species of illegal traffic have been managed by the same expedient, and evasions of duties and the introduction of prohibited commodities, reached an extent which seems to have, at length, roused the jealousy of the Chinese authorities. We have received copies of the documents regarding this affair, which, as the subject is important, we shall insert entire.

The first document is a memorial from certain American merchants to the Hoppo, or commissioner of the customs, at Canton:

The undersigned American merchants beg leave to represent their situation to his Excellency the Hoppo.

They have come to China for purposes of trade; they have brought cargo which they have sold, and received in return other merchandize. This they have done according to the usages of China for many years; they have followed no new courses, but while reposing on the stability of the customs of China, they are suddenly stopped in their business by a new order of Houqua and the other Hong merchants. A custom beneficial to the revenues and the industry of China, and long existing in reference to the American trade, was changed; the privilege heretofore granted of having one of the Cohong to ship off merchandize purchased of shopkeepers, was now refused, and for what reason? The English Company had deprived Kingqua of a share of their busi-



ness for shipping off a chop of tea not first shewn to them, and had required the Hong merchants to cease from shipping off goods as formerly, or to expect the infliction of severer punishments. The Hong merchants had, in consequence, entered into a compact with the Company no longer to ship off goods according to their custom with the Americans. Therefore was the order issued.

The undersigned remonstrated with Houqua, protesting against this usurpation of foreigners in the affairs of China, and the alterations of its customs in reference to their trade. The justice of their appeal was admitted, and the Hong merchants withdrew their order, ostensibly placing the trade upon its former footing. But your petitioners are deceived: they remain under the same embarrassments. Their property is in China, and they are not permitted to take it away. For though the order of the Hong merchants is withdrawn, the threat of the Company remains to overawe them, and Kingqua cannot ship off goods as heretofore, for fear of being deprived of his share of the Company's business. Thus the English Company takes the place of the Emperor in reference to the foreign trade of China, and the Hong merchants submit to the usurpation, to the great injury of your petitioners. And the good intentions of the Emperor towards all nations are subverted by the pernicious intermeddling of foreigners and the servility of the Cohong. The Cohong have become the servants of the Emperor for the sole benefit of the English Company, and Americans have no one to take care of their interests. Their only resort is to appeal to your Excellency.

The undersigned pray your Excellency to inquire into the nature and extent of the American trade. It has existed for forty years. Is it not proper and worthy of care?

The undersigned seek their bread by trading to China. Under these new arrangements they feel that they are deprived of it: they pray for an order from your Excellency that one of the Hong merchants may ship off the goods now detained, and they pray for the creation of new Hongs, that shall have no connexion with the English Company, and who can, and will, act independently of them.

The undersigned represent that the present Hong merchants have not been able for a long time to do the business of Americans that come to China. Outside men have, therefore, gone into Hongs, who have acted as junior Hong merchants, and have done the American business. These are now expelled from the Hongs to suit the views of Houqua and the Company. We wish these men to be continued. The American business cannot proceed without them. The national revenue of China will suffer without such arrangements.

The undersigned are peaceable men; their nation is a peaceable nation. They have long traded to China in peace. They wish it may continue so, but they are seriously aggrieved. They therefore apply to your Excellency to save them from the injury which they sustain by the subserviency of the present Hong to the selfish views of the English Company. If your Excellency cannot help them, they must seek permission from their own government to send to Peking, and pray the Emperor, who does equal justice to all nations, to do justice to the Americans.

Canton, April 1828.

The following *courteous* reply was returned from the Foo-yin:

In the forty-fifth year of the Emperor Kien-long, and in the twenty-third of Keaking, the treasurer of Canton held a consultation on the subject, and reported the result to the superior provincial authorities. I, the governor, also met with the late Hoppo, and issued a proclamation on the subject, which is on record. For several tens of years these regulations have been in existence, and no doubt ought to be generally known and obeyed. The said barbarians a short time ago repeatedly presented dunning petitions for things contrary to law, which show their stupid rashness. From pity for these remote barbarians, I did not inflict chastisement, but ordered the merchants to deliberate safely, and manage. I likewise ordered them to communicate my orders to the said barbarian merchants, to obey the fixed regulations in their trade.

Now again, abruptly, a third time, they have presented a petition, saying, "Heretofore we did not know the law of buying eight sorts," and they also say, "let us be allowed to buy of the shopmen tea, silk, sugar, chinaware, &c., and the whole be for them

them reported at the custom-house," &c. This is indeed a wilful disobedience to the fixed regulations of the Celestial Dynasty. Their perseverance and stupidity have reached the acmé. Manifestly it is the shopmen who are acting with these barbarians, in the hope of trading with them, and who have urged them on to present these whining, dunning petitions. This shews in them a still greater contempt of the laws.

Let an immediate search for and seizure be made of these people. Besides, I issue this reprimand, and require hereafter that these barbarians make a point of observing the old regulations. All large articles of commerce must, without exception, be fairly traded in by the Mandarin merchants. It is not allowed to go confusedly to foreign-goods shopmen, and clandestinely trade with them. This is a heavy offence against the laws. If the said shopmen dare to stir up the barbarian merchants to confused petitioning, or if they presume to trade with the barbarians, the moment they are discovered and caught, their crime shall positively be punished with severity.

I further make it the duty of the Hong merchants to search and point out the names of the offenders, and report them to government—that having proof, they may be seized and prosecuted. If the Hong merchants connive, on its being discovered, they also shall be joined in the same punishment, without any indulgence.

Third moon, twenty-second day.

The last document is an edict issued by the Hoppo :

*From His Excellency the Hoppo, Wan-Tsjin, to the Linguists, Achow and others.*

It has been found out that some persons who formerly opened shops for European wares, have entered the merchants' hong, and clandestinely do business with foreigners.

But foreign ships coming to Canton are requested, in all their imports and exports, to deal with the Hong merchants. If native shopmen carry on a clandestine commerce, the law accounts it a treasonable intercourse. The severity of the law is to prevent frauds on the revenue. But the shopmen evade the law by forming connexions with the Hong merchants, gradually entering, and assuming a false pretence of superintending the Hong concerns, carry on their own illegal shops with the foreigners, and bring up and send down cargoes in the name of the Hong ; the merchants connive at it, and the linguists receive bribes to report the duties. But it is forgotten that large debts for duties are accumulated, and foreign claims increase, and the Hong merchants are eventually injured. The best way to prevent future evils is to be careful before-hand.

Besides ordering Howqua and other merchants to examine whether there be any shopmen in the Hong or not, and forthwith to expel them, instead of retaining them to carry on an illicit commerce with foreigners, I hereby declare, that if any presume to disobey this order, on the fact being discovered, the goods will be confiscated, and the shopmen delivered over to the local government to be punished. Further, an order is hereby issued to linguists, requiring them to act according to the tenour of this, and hereafter, should any shopmen clandestinely enter the Hong, and deal with the foreigners, the linguists are disallowed to report their goods at the custom-house, but are to give information to government, that the goods may be confiscated.

Should the linguists openly assent to, and secretly oppose this order, and as before, report goods at the custom-house, the moment it is discovered they will be severely punished.

Taou-kwaug, 7th year, 10th month, 29th day.

The case of the Americans is very artfully stated in a letter dated "Canton, May 10," signed "an American Merchant," which has appeared in the *National Gazette* of New York. This statement is extremely long, and seems to be intended as an appeal to the nation upon its treatment by the English at Canton. We shall lay before our readers the principal allegations contained in the letter.

The writer begins by quoting a pretended extract from Milburn's *Oriental Commerce*, "an authority," he observes, "which the British must acknowledge," wherein that writer's words are entirely falsified, for the purpose of shewing that

that this monopoly of the Hong merchants was in the first instance occasioned by the close monopoly of the English East-India Company, and their impolitic interference with the established mode of trade. With this view, he introduces Milburn as asserting, *totidem verbis*, that "in the first intercourse of the United East-India Company with China, each ship had one or more supracargo, who acted for his own ship alone, and made his bargain with any Chinese merchant resident at Canton." This is a false quotation. Milburn's words are these: "in the early period of the English trade to Canton, their business was transacted with the Chinese merchants resident on the spot; but there was then no association amongst these merchants, and the Europeans were at liberty to make their bargains with any Chinese merchant resident at Canton. The principal ones are called Hong merchants; and *some one of them was required by the Chinese government to be security for the payment of the accustomed duties, and for the good behaviour of the Europeans* during the time the ship continued in China. In those times, the East-India Company employed different supracargoes for their different ships, without mutual connexion," &c. The American writer goes on to state that Milburn asserts that in 1758 the Company changed their system, "and made another alteration, viz. *by trading more directly with the country merchant who brought his goods to Canton.*" This is a more impudent attempt at deception than the other; for in the place in Milburn's work from whence the words in italics are taken, that writer immediately adds: "although from his ignorance of the English language, in a jargon of which the business of Canton is conducted, *the agency of a Hong merchant was requisite, as well as for the security of government, that the duties should be paid, and for shipping goods, which can only be done in the name of the Hong merchant, who is security for the ship.*"

The American then states that when his countrymen first embarked in the China trade, in 1788 or 1789, they adopted the very system thus represented (or pretended) to have been pursued by the Company. He adds:

So rapid has been the growth of the American trade, that for some years it has been equal to the whole of the East-India Company's trade, carried on extensively through the shopmen buying and selling for cash or in barter, and the duties arranged through a Hong merchant, who has found it so advantageous that he has paid annually to the Hoppo from 7,000 to 10,000 dollars as a fee for allowing him the exclusive right of shipping for the shopmen. And so judicious has been the management on the part of the American agents, that they have for several years been importing British manufactures regularly, from London and Liverpool direct, selling them to the country merchants, through the agency of a broker, or bartering them for silks or nankeens, with great trouble and attention, often a single package at a time, at such terms as to induce a continuance of the trade, and by avoiding the local exactions and paying cash duties, enabled to undersell the East-India Company, who adhere to the old rule of 1770, selling their imports to the Hong merchants in the gross, at great sacrifices, and buying their exports from them, saddled with all the local restrictions and impositions. This growing trade, much more advantageous to the British manufacturer than to the American merchant, has been watched with a jealous eye by the Company's agents in China. As the commercial treaty between the United States and England sanctions the trade, and there is no possibility of attacking it in England, where the Company's monopoly is so odious, their influence had to be exerted in China to thwart the trade, and no method so effectual as to compel the American importer of British dry goods to sell to the Hong merchants, if possible, on the same terms as they do themselves,—terms ruinous to him, because, having to compete with the cash purchaser of tea in his own market, he could not compete with the Company's vendor, who can make up his losses upon British imports by exaction from the tea drinkers of England.

This paragraph is dexterously directed to the passions of the people of England, who might otherwise naturally think that they were interested on behalf of their Company. Now with regard to the alleged sanction given to this extra-hong traffic, all the facts in the case, and particularly the Foo-yin's edict before inserted, show that it never existed. The truth is that a Hong merchant suffering goods to be shipped by shopmen, under colour of their being his own, is liable to a fine of one hundred times the amount of duties on the goods! As to this traffic, or the whole American trade at Canton, being equal to the East-India Company's trade, the assertion is a most audacious one, as we shall prove. We have before us reports, which appear to be authentic, of the American trade with China for the year 1826, and the first half year of 1827. The former, published in the *Singapore Chronicle*, exhibits the value of the imports into Canton, by Americans, in merchandize at 2,051,101 drs. and in specie at 5,725,200 drs; and the value of exports from Canton to all the world at 8,752,562 drs. In this year, the value of the merchandize exported by the East-India Company to China (exclusive of Bullion) from Great Britain alone, leaving out of the account their exports from India,\* was £744,858, which is not much short of double the amount of the American trade. The Company's imports from Canton into Great Britain only in that year, was £4,435,949, or two millions and a half sterling more than the American trade. Again, the American imports into Canton in the half-year ending July 1827, according to a statement published in the *Philadelphia Gazette*, amounted to 4,243,617 drs., whereof 1,841,168 were in specie, and 400,000 in bills of exchange on Europe, leaving the amount of merchandize, 2,002,449 drs. The exports from Canton during the same period amounted to 4,409,714 drs. The moiety of the Company's exports to Canton from Great Britain alone, in the year 1827, is £426,015, and the moiety of their imports from thence into this country only is £2,147,291. "These be truths," and they show the unblushing effrontery with which assertions are sometimes publicly hazarded, and the little reliance to be placed upon the rest of the allegations contained in this document.

That the Americans have carried out some adventures of British manufactures, must be admitted; but it is equally certain that the market is glutted with them, and that the prices have miserably declined.

With regard to the supposed disadvantages incurred by the Company in dealing with the Hong rather than with the country merchants, the allegation is strangely at variance with the writer's former statement that the Company voluntarily departed from the latter mode in favour of the other. But the truth, on this point, as before, is precisely opposed to the American writer's assertion; it is not only consistent with reason and probability that the Company, having the command of the market, should be able to sell and buy at the best prices, but it is upon record that they do enjoy this advantage, particularly in respect to Chinese products. The evidence taken before the Select Committee of the House of Commons on East-India Affairs in 1813 abundantly proves the fact. Mr. Beale, Prussian Consul at Canton for many years, and previously engaged himself in the China trade (a most impartial witness), distinctly says, that "the purchase of the Company's teas being made by one Committee, on one hand, has tended to keep down the price of teas, and will continue to keep it down, while it so remains." Other witnesses, even adverse to the Company, state the same fact.

What

\* The cotton shipped on the Company's account from India to China in the year 1827, amounted to 158,000 bales, worth upwards of a million.

What is meant by "avoiding the local exactions," and deviating from the old rule of the Company, is neither more nor less than the practice of smuggling and evasion, which the Chinese revenue officers are ever ready to connive at, though they cheat the government, provided their own ends can be served. This is the great secret of the "extensive trade" and the "low prices" of the Americans; it is a system of traffic which may suit a people who have nothing to risk by such dangerous and precarious expedients. The imputation of being concerned in smuggling is, indeed, not denied by the American writer, who, in a succeeding paragraph, retorts upon the Company the charge of selling opium at Calcutta, for the express purpose (which is not the fact) of its being smuggled into China, in direct violation of the laws. It is notorious that the Company studiously abstain from all participation in the opium trade, which is greedily pursued by the Americans.

Before we quit this paragraph, it may be well to consider the alleged advantages which the Chinese traders have reaped from their commercial connections with the Americans. Besides the frequent amercements with which the Hang have been visited on account of the mal-practices of American traders, these gentry, we are told by a competent witness,\* are in the habit of getting cargoes upon credit, by bills which are never honoured, whereby the Hong merchants have sustained severe losses: some of them have been ruined by the large outstanding debts due to them from Americans, who still deal where they can, wholly or in part, upon credit.

The rest of the writer's tirade we shall sum up in a few words. He says that the tea merchants have always claimed and exercised the right of disposing of their teas to others than the Hang, which practice, we have seen, is illegal; that the Company have interfered because they wish to keep up their old system of prices for grades of tea settled by their tea inspector; that the tea-men have so suffered in consequence, that many of them have become bankrupts; that the Company themselves are materially injured by this cause; that the Hang, being crippled by their debts and embarrassments, are at the mercy of the Company, who are nevertheless charged with paying dearly for the privilege of keeping up the Hang, as if they, not the government, were deriving an advantage from this institution.

It is extremely natural that the American merchants should regard the preference enjoyed by the Company with jealousy; but the British nation cannot be expected to participate in their feelings. It is an advantage from which the nation derives a benefit, and which the Americans would conceive to be perfectly fair if they were the favoured party. If it be the fact, that the Canton tea merchants have abused the facilities afforded them by the needy Hang merchants, to cheat both their government and the Company, we do not perceive upon what principle the Company can be blamed for calling upon the government to protect their mutual interests.

\* Appendix to Lords' Report relative to trade with East-Indies and China, 1831, pp. 177 and 283.

## HISTORY OF MAHOMET.\*

MAHOMET, or Mohammed, as the orientals pronounce his name, was born at Mecca towards the end of the year of our Lord 569. By birth he was of the tribe of Koraish, the noblest in Arabia, and he traced his ancestry to Ishmael, the son of Abraham.† At this period, a great part of Arabia was subject to a foreign yoke; all the north of Arabia Petræa, as well as Syria, Palestine, and Egypt, was under the authority of the emperors of Constantinople; the coasts of the Persian Gulf, and the countries watered by the Tigris and the Euphrates, obeyed the laws of the Chosroes of Persia; and a portion of the shores of the Red Sea, to the southward of Mecca, belonged to the kings of Abyssinia. Mecca alone and the country in the interior had preserved their independence. Save some temporary invasions, this region enjoyed a certain degree of repose; its tranquillity was disturbed only by the turbulence which is natural to a nomade people.

Mecca was considered the chief city of Arabia: the memory of Ishmael and of Abraham, and especially the distinction of containing without its walls the *Caaba*, caused it to be regarded by the Arabs as a holy place. But their minds had been tainted by the influence of the people around them. The provinces subject to the Romans and the Abyssinians were almost wholly inhabited by Christians and Jews; the religion of the Sabæans and of the Magi prevailed in the Persian provinces; the remainder followed in general the worship of idols. Mecca, in particular, and most of the tribes, having deserted the faith of Abraham and of Ishmael, had plunged into all the errors of paganism. In the interior of the *Caaba* were statues of Abraham and Ishmael holding seven arrows, with which the idolaters pretended to foretel future events. On the outside were ranged 360 statues, each presiding over one day in the year: some represented angels, others planets and stars. Every one had its peculiar form of worship, its votaries, and sacrifices. A similar superstition prevailed amongst the neighbouring tribes. Each village, each family, chose its own divinity. Some adored idols; others the sun and the heavenly bodies. A few, adopting the notions of the Manichæans, believed in two principles, a good and a bad; the latter, owing to the dread of his malevolence, was the chief object of devotion. Human victims were immolated at the shrine of these deities of wood and stone; and such a pitch of excess had this barbarous custom reached, that children, and especially females, were sacrificed, upon the plea that the parents could not support them.‡

Mahomet himself was born an idolater: for many generations his ancestors had followed no other worship. His father's name was Abdallah, his mother's Amina; both were poor. Mahomet lost them at an early age, and his whole patrimony consisted of five camels and an Ethiopian slave. Happily for him, his grandfather held a distinguished rank at Mecca, and took upon him the care of his education: when he died, his uncle, Abou Taleb, filled his place.§

Mahomet passed his early years in the country, where he acquired a strong and vigorous constitution. From a very tender age, he discovered an active, intel-

\* Abridged from an extended biographical account of the Arabian prophet, by M. Reinaud, in his *Description des Monumens Musulmans*, derived from authentic sources and recent researches in oriental authorities.

† See the *Annals of Aboulfeda*.

‡ Pococke, *Spec. Hist. Arab.*, p. 323. Marracci, *Comment. de l'Alcor.*, p. 784.

§ Aboulfeda.

intelligent, and reflecting mind. When his companions besought him to join their youthful sports, he replied that man was not formed for trifles.

At the age of thirteen, he accompanied his uncle to Syria. It was then the custom with the people of Mecca, even those of the highest rank, to addict themselves to commerce, and they carried to Bassora, Damascus, and other parts of Syria, the dates, perfumes, and aromatics of Arabia Felix and India, returning with corn, dry raisins, stuffs, and other productions of the Roman empire.

A war breaking out between Mecca and some neighbouring tribes, Mahomet passed his military noviciate under his uncle, Abou Taleb, who commanded the forces of Mecca.

His poverty was the sole obstacle to his exaltation : a rich widow of Mecca, named Cadigia, determined to remove it. She began by appointing Mahomet to manage her commercial affairs, which were very extensive ; she soon after married him. Her age was then forty-two ; Mahomet's was twenty-five. History has recorded the splendour of the nuptials ; two camels were served up for the guests ; the slaves of Cadigia danced to the sound of tambours, and all Mecca was dazzled at the magnificence of the happy pair.\*

From this moment the condition of Mahomet altered ; he found himself in the first rank of the citizens of Mecca, yet his change of fortune produced no revolution in his sentiments. His uncle, Abou Taleb, who had been kind to him in his youth, was then in want ; Mahomet relieved him, and took upon him the education of his family.†

There is every reason to believe that at this very period he conceived the grand scheme, which he soon after began to put in execution. Travel had enlightened his mind ; he must have been powerfully struck with what he observed amongst the Jews and Christians ; they alone, throughout all Arabia, had kept themselves pure from the barbarous practices of idolatry, acknowledging one God, to whom they addressed their prayers. Having applied himself to the study of the Old and New Testaments, Mahomet manifested at first considerable partiality towards the Jews and Christians. Not content with admitting their holy books as the basis of his religion, he borrowed, at the beginning, some of their rites.

Unfortunately, history is silent regarding this primary portion of the life of Mahomet. The only facts recorded of the fifteen years which succeeded his marriage, are the births of his children, of whom, notwithstanding the advanced age of Cadigia, he had eight, four sons and four daughters : the former died early.

It is known, however, that Mahomet manifested a great inclination for retirement : every year, during the month of Ramadan, he withdrew to a cave on Mount Hira, near Mecca, where he declared that he employed himself in meditating on heavenly topics. He at length disclosed his pretended mission. One day, according to his own statement, whilst he was secluded in the cave, the angel Gabriel appeared to him, and communicating the instructions he had brought from heaven, saluted him with the title of "Apostle of God." Mahomet returned home immediately, and imparted the occurrence to Cadigia, who, flattered at the distinction of being the wife of a prophet, believed instantly, and thus became the first proselyte. Her example was followed by Ali, the son of Abou Taleb, and by Abou Bekr, who had known Mahomet from his infancy. The new religion soon reckoned Osman and other individuals,

\* Copious details are given in the Arabic chronicle of Tabari.

† Aboulfeda.

duals, who became illustrious in succeeding years, amongst the number of its votaries. All of them received the appellation of *Musulmans*, from an Arabic word, which signifies "to put oneself into the hands of God."

Mahomet fixed their creed and fanned their zeal by the revelations which he pretended to receive, from time to time, from heaven. According to him, whenever he was embarrassed, the angel Gabriel appeared to him from God expressly to solve his doubts. As he knew not how to read, at least at first, the angel brought his instructions in writing, and read them to him. Mahomet repeated them, and afterwards revealed what he had learned to his disciples. Hence is the origin of the term *coran*, which in Arabic means "reading," and is pronounced, with the article, *al-coran*, which implies, emphatically, "the reading."

The new religion, however, was yet taught only in secret. Mahomet had been alarmed by the resistance of some of his friends to whom he had mentioned it, and who had rejected it with horror. At length, after three years of concealment, he determined to make it public. He began with such of his own relations as had hitherto persisted in idol-worship; he invited them, to the number of about forty, to a feast, at which he served up a roasted lamb; but at the very moment when he was about to explain himself, the party broke up, and he was obliged to defer the execution of his project.\* The next time Mahomet was more fortunate. He pointed out to his guests with great energy the vice of idolatry; he impressed upon them the folly of expecting any thing from mere images, incapable of hearing; by a natural transition, he expatiated upon the advantages of the new worship, spoke with enthusiasm of the only God, the creator of heaven and earth, who rewarded the good and punished the wicked. At length, finding that no person present seemed disposed to reply, he exclaimed with a burst of ardour: "is there any one amongst you who will become my vizir and lieutenant, as Aaron was to Moses?" At these words Ali, who was then a youth, scarcely twelve years of age, exclaimed: "Yea, O apostle of God; I will be your vizir and lieutenant." Mahomet, overjoyed, embraced him tenderly, saying: "this is my brother and my lieutenant; henceforward obey him." But these expressions provoked the persons present, who, turning towards Abou Taleb, Ali's father, at that time the chief magistrate of Mecca, observed, in a tone of sarcasm: "So, you must hereafter obey your son!"†

This experiment obliged Mahomet to change his measures, and he then applied himself to the common people of Mecca; he visited incessantly the public places and scenes of resort, inveighing against idols, and endeavouring to make proselytes. His declamations at first excited only surprise; but zeal for an ancient religion soon began to kindle; the innovator was viewed with malevolent eyes, and an opposition was formed against him. In vain had he recourse to prayers and to remonstrances; in vain did he warn his countrymen of the examples recorded in the Bible, in which the terrible vengeance of God had been drawn down by the crimes of the nations which had preceded them: they were deaf, in a great measure, to his advice, and even threatened violence to the few who joined him. At length, the most zealous of Mahomet's disciples were obliged to retire from Mecca; most of them, to the number of nearly a hundred, embarked on the Red Sea, and took refuge in Abyssinia, where they awaited a favourable change of circumstances. Mahomet himself was no wise dejected; when Abou Taleb advised him to renounce his scheme,

\* Aboulfeda.

† *Ibid.*



scheme, he replied that if the sun was put on his right hand and the moon on his left, he would not recede.\*

The new religion continued to make some progress: Hamza, Mahomet's uncle, and Omar, who was subsequently Caliph, shortly became proselytes; the former was remarkable for his bravery, and had been attracted by the persecutions directed against his nephew; the latter was touched with a passage of the *Alcoran*, which he happened to hear read.† In process of time, Mahomet extended his mission beyond Mecca and even Arabia; his success induced him to proclaim himself an envoy from God to the black and to the brown, in short to all the nations of the earth. The principal obligation he imposed upon his proselytes, was to believe in one God, and in himself as his apostle, as well as to purify with water and to change the habit. The increase of his power exasperated public animosity against him; the two parties never met without quarrels; all connexion and intercourse between the family of Mahomet and the people of Mecca ceased. He was insulted whenever he appeared in public, even when he ate or prayed.

On the death of his uncle, Abou Taleb, who, although he remained an idolater, protected him, Mahomet considered himself to be no longer safe at Mecca, and withdrew to Tayef, two or three days' journey distant. He made choice of this town because the inhabitants were reckoned the bravest in Arabia, and he hoped by their means to triumph over his antagonists. The people of Tayef, however, were as unmanageable as those of Mecca; one of them answered his application thus: "If, as you pretend, you are sent from God, you are too strong for me to contend with; if, on the contrary, you are an impostor, you are not worthy of a reply." He was beset even by the mob, and forced to return to Mecca.‡

Mahomet now determined to dissimulate. He concealed himself for some time, holding intercourse with his friends alone, except during the ceremonies of the pilgrimage, when all the tribes of Arabia flocked to the Caaba, together with caravans of merchants. A sort of truce then prevailed; the safety of the pilgrims requiring that all private dissensions should be suspended. Mahomet took advantage of this occasion, to insinuate his doctrine amongst the strangers composing this vast assemblage. He took them apart, and repeating to them some chapter of the *Alcoran*, said "I am the apostle of God; the book which I read to you is an evidence of the truth of my mission. The Lord commands you to reject that which is unworthy of him, and to serve him and him alone. He wills, moreover, that you should believe in me and obey me." Such speeches as these, delivered in an energetical manner, seldom failed to produce their effect.

Meanwhile there arrived at Mecca certain idolaters of Medina. This city, situated to the north of Mecca, was then inhabited by idolaters and by Jews of the tribe of Levi. A contest had taken place between the two people, and the Jews had been subdued and subjected to harsh servitude. In the excess of their sufferings, they could not help exclaiming: "O that the period of the Messiah would arrive, that we might fly to him and obtain deliverance from this tyranny!"§ The idolaters of Medina, on reaching Mecca, and hearing of the new prophet, said to one another: "Who knows that this may not be the prophet of whom the Jews speak? Let us seek him, and secure him in our own interests." The persecution which Mahomet experienced from his countrymen furnished a motive which fixed them in this resolution.

There

\* Aboulfeda.

† *Ibid.*

‡ *Ibid.*

§ Arab Chronicle of Tabari.

There had always existed an implacable animosity between Medina and Mecca; they were rivals in the trade of the caravans, and the spirit of rivalry had more than once excited a sanguinary war between them.\* These idolaters, therefore, sought out Mahomet, who preached to them the unity of God; enjoining them, at the same time, to observe temperance, and to shun the vile gratifications to which they were addicted. They were immediately converted, and such was the fervour of their zeal, that when they returned to Medina, they devoted themselves to the propagation of the new faith, and, in a short time, there was scarcely a house in the city which did not contain Musulmans.†

This success inspired Mahomet with an overweening confidence. Hitherto he had confessed his inability to perform miracles. In vain his adversaries urged him upon this point, remarking: "You perpetually refer to the examples of Abraham, Moses, and Jesus; why do you not work miracles, as they did, and then we will believe in you? Behold that hill," added they, pointing to a mound of red earth in the vicinity of Mecca, "change that into gold, and we will acknowledge ourselves vanquished." When Mahomet found he had a powerful party out of Mecca, he no longer scrupled to claim perfect equality with the ancient patriarchs and prophets, and determined to accomplish a miracle which should transcend whatsoever the memory of man had known or imagined: he pretended to have ascended one night to the seventh heaven, to have stood before the throne of God, and to have enjoyed a conversation with the Most High. This statement appeared so utterly absurd, that his own disciples reproached him with imposture; and but for the determined zeal of Abou Bekr, who declared that the apostle of God could never lie, it would have given the death-blow to the new religion.

Islamism continued to spread in the interior of Arabia. The third year of Mahomet's mission, another caravan of Medinese came and embraced his cause. Mahomet then released his disciples from the constraint which he had hitherto imposed upon them. When he recommended patience, he used to say, "Forgive your enemies till God comes with his commandment." He now said: "Musulmans may fight against those who wrong them: God is able to send them aid." He went further: considering himself as the chief of a new society, he exacted an oath of fidelity; his disciples swore to defend him as they would defend their wives and children; and in order to inflame their courage, he declared that all who fell in his cause would enter paradise.

When intelligence of this act of audacity reached the ears of the magistrates of Mecca, they were struck with horror. Apprehensive of a civil war in the city, they decreed the death of the innovator; but Mahomet, who foresaw the danger, withdrew himself from their grasp. Some time previously, he had lost his wife Cadigia and most of his children; and, although he had married again, no tie bound him to his native place. Accordingly, he caused his disciples to depart clandestinely to Medina, whither he proceeded a few days after. This event is denominated *Hegira*, from an Arabic word which signifies "flight," and it has since been employed as an epocha by all Musulman nations. It occurred in the year 622 of our era; Mahomet was then about fifty-three, and had taught his doctrine for thirteen years; Heraclius reigned at Constantinople, and Persia was ruled by Chosroes Parvez.

Mahomet was received in triumph at Medina. He took immediate steps to establish his authority in that city, and to give certain forms to the Musulman

\* Aboulfeda.

† *Ibid.*

man worship, which have scarcely undergone any change. His first object was to build a mosque in which he might offer prayers with the people; he set an example to others, by working with his own hands, observing, "whosoever shall labour at this edifice, will build for life eternal." It was constructed of bricks and the wood of the palm-tree.\* He built also a house for himself, and his companions did the like. At the same time the rite of ablution was established, as well as the public observance of the fast of Ramadan, and the alms required by the faith; in short, Islamism developed itself by degrees, whilst it spread over a considerable portion of the earth.

Medina had hitherto borne the name of Yatrib; it was known only by some plantations of palm-trees and by its trade with the caravans. It now began to attract public attention; the circumstance of its containing within its walls the prophet of the Arabs, produced a change of its name to that of *Medinet al-Nabi*, "the city of the prophet," or simply *Medinet*, "the city."

Upon his arrival at Medina, Mahomet had arrogated the whole authority, spiritual and temporal. All who became Musulmans were compelled to swear fealty to him. His disciples looked upon him at once as king and pontiff. In order to unite the different classes of his subjects, those who had accompanied him from Mecca and those whom he had gained at Medina, he introduced a kind of confraternity, in which each Meccan joined a Medinese. They treated each other as brothers; all were on the same footing; there existed no distinction between them, except the name of *Mohagerians*, or "fugitives," and *Ansarians*, or "defenders."

Mahomet at first displayed great moderation: the Jews of Medina, who followed agriculture and the rearing of cattle, were treated with great gentleness by him, and were allowed the free exercise of their religion. He even tolerated the idolaters who persisted in the worship of false gods. All his views tended towards the establishment of his power, and vengeance on his enemies at Mecca. No sooner was he in a condition to take arms, than he marched with his partizans against the territory of Mecca.

At the period referred to, as well as at present, that portion of Arabia which had retained its independence was partitioned amongst a number of tribes actuated by mutual jealousy, and almost incessantly at war with each other. From this cause, and from the nature of the country, predatory habits became familiar to the Arabs, and were not regarded as dishonourable, especially by one who, although pretending to be invested with the character of prophet, was agitated by the most furious passions. Hence proceeded all those consequences which necessarily happen, when sectarians are impelled at once by a thirst of vengeance, a desire for pillage, and fanatical zeal.

Mahomet distributed his partizans on all the roads, where they carried off cattle, cut down trees, and plundered caravans: he sometimes remained a whole month near one of the wells in the desert, awaiting his prey. The booty gained by his soldiers in the end attracted to his standard all the vagabonds in the vicinity: if they conquered they were enriched with spoil; if they fell, paradise was ensured to them.

It has been already mentioned, that there were periods when there prevailed a general suspension of arms throughout Arabia: this occurred at the time of the pilgrimage to Mecca and in other months. The points were then taken from lances, and whosoever had lost a father or a brother was obliged to suspend his revenge. Necessity had suggested these periods of general repose,

or

or the human race might have been exterminated in this country. A custom somewhat analagous existed in Europe in the middle ages, which was termed *the Truce of God*. The Arabs, in like manner, called these periods *holy months*. Such was the impatience of Mahomet, that a caravan from Mecca having been plundered by his soldiers during one of these months, he sought to excuse them by alleging that, if it was a sin to prosecute hostilities during this period, the Meccans had committed a still more heinous offence, in resisting the will of God, and expelling his own prophet.\*

It being reported that a rich caravan of his enemies was about to return from Syria, consisting of 1,000 camels and laden with the most precious wares of the country, Mahomet conceived the design of capturing it. The Meccans despatched 950 men to protect it; Mahomet, with 313 men placed himself upon the road they must pass, taking up a position near a well called Bedr, not far from the coast of the Red Sea. The escort from Mecca, on reaching this place, found their advance obstructed, and a conflict became inevitable. At first, Mahomet discovered great perturbation. He had constructed a wooden cabin, in which he remained with Abou Bekr. During the battle, he smote his breast, ejaculating: "O my God, if thou permittest thy servants to perish, thou wilt have no worshippers left on the earth."† He was so agitated, that he let his mantle fall from his shoulders, and absolutely lost his reason for a moment. At length he took courage, and pretending to have seen an apparition of the angel Gabriel, he cried out: "Rejoice! God sends us aid!" At the same time he mounted on horseback, and taking up a handful of sand, he threw it in the faces of his enemies, saying "May their countenances be confounded!" His soldiers thereupon made a desperate effort; the Meccans fled, and the battle was gained.

This victory made a wonderful impression upon the Musulmans; they considered themselves thenceforward invincible. But Mahomet, who took every opportunity to recall them to the idea of the Deity, sensible how easily, by this means, he might lead them where he would, endeavoured to quell their pride by declaring that their victory was not the work of man but of God; that, during the battle, he had beheld a legion of angels, led by Gabriel, who made a frightful carnage amongst the enemy; and that when he threw the dust into the faces of the idolaters, it was not he that did it, but God had hurled the dust with his own hand.‡

The Meccans, meanwhile, fled in great disorder; some of their warriors were killed, others had been made prisoners; the caravan, deprived of succour, had fallen into the hands of the victors. Mahomet ordered all his prisoners to be brought before him, their hands bound behind them, and he cut off the heads of those who distinguished themselves by their animosity to him: the rest paid a heavy ransom for their liberty. Amongst the number of the latter was his own uncle, Abbas, whose descendants subsequently reigned at Bagdad.

Upon this occasion Mahomet introduced a rule for the division of booty, which had never hitherto been fixed, and this uncertainty had often led to bloody quarrels. To prevent these serious disputes, Mahomet pretended he had received a divine revelation, and the question was eventually thus decided:—A fifth part of the booty was set aside for God and his prophet; another fifth was

\* *Alcoran*, sur. 11. v. 217.

† Aboulfeda.

‡ See the *Alcoran*, sur. viii. v. 16, where the Almighty is represented as so stating the fact to Mahomet himself!

was reserved for the relations of the prophet, for orphans, and the poor; all the rest was given up to the army, horsemen receiving double the proportion of a foot soldier. It is said that upon this occasion, some of the men having complained of the smallness of the sum which fell to their lot, Mahomet generously increased it from his own share.

The army returned in triumph to Medina, and the name of Mahomet was more than ever celebrated throughout the neighbouring countries. This was towards the middle of the second year of the Hegira; the remaining part of it was consumed in petty warfare: the most remarkable event of this period was the expulsion of the Jews from Medina.

For some time, Mahomet had felt some annoyance at the presence of Jews in the very centre of his territories. As long as he entertained a hope of drawing them to his own religion, he had acquiesced; but their aversion to the new faith increasing every day, he found himself in an awkward dilemma. He could not employ against them the same arguments as against the idolaters. The Jews told him they believed in one God as well as he, and that they could, moreover, adduce in their behalf an almost uninterrupted series of patriarchs and prophets. Mahomet, at length, took advantage of a dispute which occurred in Medina to get rid of them. He ordered that the Jews should either embrace islamism or prepare for death. In vain they argued that they resided in Medina by virtue of a treaty, which it would be sacrilege to violate; all the relaxation they could obtain was permission to quit the city. They accordingly departed, to the number of 700, and took up their abode in the adjoining countries. One, who appeared bolder than the rest, was stabbed.

Meanwhile, the people of Mecca became impatient to wipe away the affront they had received; and in the third year of the Hegira (A.D. 624-625) they collected, in concert with their allies, an army of 3,000 foot soldiers, which advanced towards Medina, under Abou Sofian, whose son, named Moawiyah, became afterwards Caliph. The army was accompanied by women, whose sons, or brothers, or husbands, had fallen at the battle of Bedr: they were mounted upon camels with tambours in their hands, and endeavoured by their cries and the discordant sounds they produced to excite the fury of the combatants.\*

At the approach of this formidable body, Mahomet collected his forces and advanced to meet the enemy. His army amounted to 700 men only; but they considered themselves, in consequence of their past success, to be invincible. The action took place a short distance from Medina, in the vicinity of Mount Ohud. At the first shock the idolaters fled; but the Musulmans imprudently rushing in pursuit of them, the Mecca cavalry threw them into confusion, and in a moment a general route took place. A considerable number lost their lives; the prophet himself was dismounted; he had his face bruised, several of his teeth were knocked out,† and his body was scarified with wounds. Omar and Abou-Bekr were also wounded. So great was the disorder, that it seemed irremediable. Mahomet, nevertheless, preserved the utmost composure; whilst his wounds were being dressed, he exclaimed: "Oh, how can they hope to prosper who thus deface with blood the countenance of their prophet?" A Meccan advancing to attack him, he seized a spear from one of his own party and struck him down at his feet.

Conceiving their honour to be redeemed, the Meccans at length retired; but not

\* Aboulfeda.

† One of them is still preserved in the seraglio at Constantinople.

not till they had perpetrated, the women especially, acts of the utmost barbarity upon the dead bodies of their foes. The wife of Abou Sofian, having discovered amongst the slain the corpse of Hamza, Mahomet's uncle, she cut off his nose and ears, which she stuck by way of ornament in her girdle, and cutting open his belly, she tore out his entrails with her teeth.\*

Mahomet was extremely chagrined at this serious reverse; he lamented particularly the loss of Hamza, who was a zealous partizan. Resolving to destroy all hopes in his own party of a reconciliation between them and the Meccans, he stigmatized, as a crime, the allowing seventy prisoners, taken in the former battle, to be ransomed. Since just seventy Musulmans had lost their life in the present conflict, he declared that the misfortune was a punishment from heaven for their criminal indulgence towards idolaters.† The two parties now resumed their mutual attacks with new energy: each strove to outvie the other in barbarity. Mahomet regarded it as a maxim never to suffer a wrong to go unpunished; if the enemy carried off a flock, he devastated a province: the idolaters adopted a similar course. These disorders became so universal, that nearly the whole of Arabia exhibited but one vast scene of murder and pillage. Every writer who refers to these unhappy times, relates particulars which make us shudder: as all these authors are Musulmans, they intimate that these were the unavoidable effects of the obstinacy of the idolaters.

Mahomet and his principal companions, after they took up their abode at Medina, continued to trade with caravans. Their agents travelled into Syria, and as far as Constantinople. These caravans were often plundered by the hostile Arabs; a certain female, who was so celebrated for her predatory enterprizes that her name became proverbial, at length fell into the power of the Musulmans, who fastened her by the heels to two enraged camels, which tore her in pieces.

The idolaters often carried off the flocks of Mahomet at the very gates of Medina. Sometimes they pretended a desire to embrace Islamism, and requested the prophet to send them some of his disciples to instruct them; if he complied, they slew these Musulmans or sold them to the Meccans, who sacrificed them to the manes of their relations who were killed at the battle of Bedr. It is related of a woman at Mecca, that she thus disposed of a Musulman, whose skull she converted into a cup, which she used at banquets.‡

Mahomet, by degrees, made himself absolute master of Medina and of the whole country; he had, however, another attack to sustain. The Jews succeeded in prevailing upon Mecca and its allies again to take up arms; and 10,000 idolaters advanced towards Medina breathing vengeance and slaughter, and swearing, according to the Arab style, "to let fly together, and as from a single bow, all their arrows against the common enemy."§ Mahomet had been taught prudence by his late disaster, and he resolved to await the Meccans at Medina. Terror prevailed amongst his partizans; those of the Medinese, especially, who had persisted in idolatry, affected to represent the danger as greater than it really was. He, nevertheless, displayed his accustomed courage. An army of 3,000 Musulmans assembled round his standard; he encircled the city with ditches and entrenchments. In vain did the idolaters strive to force a passage: all who approached were destroyed. Discord soon spread in their ranks. A furious storm overturned their tents, and threw the camp

\* Aboulfeda.

† See an allusion to this in the *Alcoran*, sur. viii. v. 70.‡ Aboulfeda. Maracci, *Prodromus*, Part II. p. 40, No. 25.

§ Aboulfeda.

camp into disorder. In about twenty days they raised the siege, and each returned to his own country. Mahomet, seeing them depart, exclaimed : " They have lately been the assailants : we will now go in search of them."

Previously, however, he determined to be revenged of the Jews, who were the authors of this war. Without giving his people time to complete their preparations, he marched the same day against the tribe called the children of Korayda. Having found them shut up, to the number of 700, in a strong castle, he forced them to open the gates, and made arrangements for putting them to death. The Jews had recourse to the mediation of one of Mahomet's companions, named Moadh, formerly their friend, who, however, having been previously wounded at the attack of Medina, from that moment thought only of revenge, and concluded his nightly prayer with these words : " Grant me, O God, the happiness, before I die, of witnessing the shedding of the blood of the Koraydites !" When he understood that the lives of these Jews were in his hands, he ordered them to be brought to the camp, and sentenced the men to death, the women and children to slavery. " A heavenly sentence !" exclaimed Mahomet, in an excess of joy, " a sentence which came from the seventh heaven !" and he commanded it to be carried into immediate execution.

The booty, on this occasion, was immense. Mahomet reserved to himself the arms and horses for the constantly increasing band of his proselytes ; he even purchased others with part of his own share of the booty.

There still remained a Jew named Salam, who was much dreaded by reason of the hatred he bore to the prophet. Five Musulmans, by Mahomet's order, entered his house, on the pretext of seeking hospitality, and assassinated him.

[To be concluded next month.]

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## SONG.

FROM THE BENGALI ;

(*In the original measure.*)

THEIR's one whose charms have pierced my breast, and set my heart in flame ;  
Her father's only daughter she, and Veedyas is her name.  
'Tis not for me those charms to tell : O ! would she were but mine !  
Though mortal hardly dare aspire to one almost divine.

They say that Love has never shewn his shape to human eye,  
Yet who beholds my Veedyas, will the face of Love descry.  
Her dazzling beauty if the god at any time should see,  
I fear, alas ! that Kam himself my rival soon would be.

I'll write her songs, and pour my love-sick strains into her ear,  
The sacred odes of Nuddea shall my Veedyas often hear :  
O would I were a bird that sung in Vrindabor's green grove !  
My notes might please the dainty ear of her I dearly love.

My Veedyas's beauty fills my head—I study nought beside ;  
My Veedyas's name I dwell upon from morn till even-tide ;  
She only is my every hope, my wish, my aim, my end ;  
My orisons to Veedyas and to her alone ascend.

## SLAVERY IN INDIA.

*(Continued from last vol. p. 677.)*

WITH reference to the subject with which our last article concluded, we find a statement from Mr. Baber, dated in December 1814, that since the discussions upon the subject of importing kidnapped free-born children in 1812 and 1813, an entire stop had been put to that inhuman traffic in North Malabar.

The next occurrence mentioned in the Madras papers is an alleged attempt at slave-dealing, by some Frenchmen, between Malabar and the Isle of France. Col. John Munro, the British resident at Travancore, discovered in January 1812 that a number of natives, men, women, and children, were confined in irons at the Dutch settlement of Janganacherry, a port dependent upon Cochin, for the purpose of being transported, as they declared, to the Isle of France as slaves. Janganacherry is described as a place under the immediate superintendence of a Portuguese inhabitant, remote from the civil control of any European authority, and the convenient resort of smugglers and thieves. The proprietor of the slaves was M. Vally, a resident at Pondicherry; they were found in the house of some of his relations at Janganacherry. The inhabitants of this place, Col. Munro states, in defiance of the proclamations of government, persisted in a traffic in slaves "of the same nature as the transactions carried on at Travancore, under the orders of Mr. Murdock Brown."

By direction of the government, M. Vally was examined by Col. Fraser, the British commandant at Pondicherry, when he admitted that the slaves were his property; that such of them as were natives of India he had regularly purchased in Travancore, by permission of the then resident (Col. Macaulay) and of the dewan; that he was not aware of any proclamation on the subject, and that he had never sold any slaves, and had no intention to send the slaves in question out of the country. In a representation to the Madras government, he reiterates these declarations, adding, that in purchasing these slaves, "he was less guided by views of personal interest than by a mere act of charity, and that most of them were more burthensome than useful to him." In reply to the statements made by the slaves, and by the superintendent of bazars at Quilon, that they were imprisoned in irons, half starved, almost naked, and in a state of the utmost wretchedness, M. Vally affirms that he was ignorant of these facts, and believed them to be much exaggerated; that he always treated his slaves as a good master ought to do, and never ordered them to be put in irons.

There is one circumstance which is material to a right conclusion in this matter: Col. Munro states that M. Vally had obtained the permission of the government to proceed to the Isle of France, but having stated that he could not procure a passage thither from the Malabar coast, he received a passport from him (Col. Munro) to proceed with his family to Madras, for the purpose of embarking at that place. M. Vally admits this, but states in explanation, that when he left Travancore he had intended to proceed to the Isle of France, but that circumstances had induced him to alter his intention and to take up his abode at Pondicherry. The result of a subsequent inquiry intended to be made into this subject is not given.

In 1814 an inquiry took place, at the instance of the Bombay government, on a complaint preferred by a dependent of Mohammed Ali, the present pacha of Egypt, relative to certain Abyssinian slaves and females from Kutch, who had been seized and taken from some Arab traders in India, in which complaint some of the public servants were charged as accessories.



It appears that in January 1813, Mr. Gillio, the judge and magistrate of South Malabar, received information that some Rajpoot women and children had been kidnapped from their country (Kutch) and sent on board two Arab dows, which had then arrived in the Beypoor river. The informant, a boy of twelve or fourteen, who had made his escape from one of the vessels, stated that he and the rest had been brutally treated on board, and that the women and girls had been violated by the noquedah and others. The vessels were accordingly searched, and thirteen individuals of the Rajpoot caste, women, boys, and girls, were brought away to the court. From their depositions, it would appear that they had, most of them at least, embarked on board the dows during the famine at Kutch in 1812, when the poorer classes, being in a state of actual starvation, were glad to sell themselves or their children to any one who would give them food. Their treatment, however, had been so brutal, that they declared that they would rather die than return to the vessels. The magistrate thought it not an act of humanity merely, but of duty, to set them at liberty; and one Ruttun Chund, a Kutch man, and other merchants of apparent respectability, having voluntarily offered to maintain and send them back to their own country, Mr. Gillio delivered them up to Ruttun Chund accordingly. Unknown to the magistrate, however, the noquedahs of the dows, who were brought up to the office, were subjected to great indignity by Ruttun Chund and others leagued with him, who enticed away four Abyssinian slaves from one of the vessels, and extorted from one of the noquedahs upwards of 2,200 rupees.

Upon an investigation of the matter by Mr. Pearson, Mr. Gillio's successor, it appeared that the Rajpoots had not been sent back to Kutch, but had been distributed amongst various persons at Calicut and elsewhere, and through the treatment they had experienced had forfeited caste. The magistrate suggested that the delinquents should be prosecuted, and accordingly Ruttun Chund and three others were tried before the Court of Circuit, on a charge of enslaving the persons referred to, but escaped conviction.

The next subject is one of considerable moment and interest. In the latter part of the year 1814, Mr. Baber, the magistrate of North Malabar, whose efforts for the amelioration of the servile classes in Southern India have already been largely spoken of, brought some very serious questions before the government, namely, whether a British magistrate ought to sanction with his authority the sale of individuals of the slave-tribes, in execution of judicial decrees, or to take cognizance of disputes between persons claiming such slaves, or of complaints by owners against slaves who deserted or refused to work; also whether Europeans were allowed to become purchasers, and whether, under any circumstances whatever, it would be lawful in the collector to attach and the judge to cause the sale of slaves by public auction, in satisfaction of revenue arrears, with or separate from the estate on which they were born. The application of Mr. Baber was referred to the Board of Revenue at Fort St. George; and in consequence of this and of a further representation by Mr. Baber, in 1818, when he was a judge of the Circuit Court, some very important evidence was obtained, which diffuses considerable light upon the subject of slavery in this part of India.

The representation of Mr. Baber in Dec. 1818 was founded upon a declaration of the parbutty of Beypoor, when under examination respecting a charge of conspiracy, that he had, in his official capacity, and in concert with the sheristadar of Calicut, distrained some chermars, a slave-class, who had been sold by public auction. Mr. Baber, thereupon, took steps to ascertain whether

ther there was any authority for this practice, and whether slaves were liable to attachment and sale in satisfaction of revenue arrears.

A minute of the Board of Revenue, dated January 1818, ostensibly with reference to the question of revenue administration, speaks of the inferior labourers in southern India in the following terms :

It is not, perhaps, sufficiently known, that throughout the Tamil country, as well as in Malabar and Canara, far the greater part of the labouring classes of the people have, from time immemorial, been in a state of acknowledged bondage, in which they continue to the present time.

In Malabar and Canara, where the land is very generally divided, and occupied as separate and distinct properties, the labourer is the personal slave of the proprietor, and is sold and mortgaged by him, independently of his lands. In the Tamil country, where land is of less value, and belongs more frequently to a community than to an individual, the labourer is understood to be the slave rather of the soil than of its owner, and is seldom sold or mortgaged, except along with the land to which he is attached ; but in Telingana, where it is difficult now to trace the remains of private property in the land, this class of people is considered free.

It is, certainly, a curious circumstance, that in those provinces where the severe and arbitrary system of the Mussulman government was established at the most early and for the longest period, where consequently the public assessment on the land is the most high, and private property in the soil the most rare and least valuable, the labourer should also be the most free ; while his condition is the most abject in those countries where the ancient institutions of the Hindoos have been least disturbed, where the public demand on the soil is the most light, and private property in the land is universal, and of the highest value. It seems probable, however, that in former times slavery may have been as prevalent in the northern, as it now is in the southern and western provinces ; and the same circumstances that reduced the landlord of Telingana to the situation of a landholder, may have tended gradually to weaken the power he possessed over his slaves, until they finally became altogether emancipated from his authority.

There cannot, however, be a doubt, that the slavery prevalent among the lower classes of Hindoos, is of a very different and opposite nature from that so strongly and justly reprobated in England, inasmuch as foreign traffic or external commerce in slaves is quite different from domestic slavery. It has been stated by very competent authority, Mr. F. W. Ellis, the collector of Madras, that in the Tamil country, the parriyars and pullers, most of whom are slaves attached to the lands of the vallalar, as well as the pulli, who are generally serfs on the lands of the brahmin meerassidars, sometimes claim *meras*, or hereditary private property, in the "incidents of their villainage," and that "it is generally allowed to them and their descendants, on proving their former residence in the village, however long they may have been absent from it." On the other hand, the late magistrate in Malabar, in addressing Government respecting the sale of men, women, and children of the Pollar, Cherumakul, Panian, Kanan, Kallady, Yocallan, and Nacady tribes, submits that, "if the general question of slavery, as recognized by the local usages of Malabar, or by the Hindoo and Mahomedan law, is not affected by the laws made to abolish the slave trade, adverting to the wretchedness and diminutive appearance of this description of natives, it still appears to be a subject well worthy the humane consideration of the Right Honourable the Governor in Council, to enact such legislative provisions as will tend to ameliorate their condition, and prevent their being sold out of the talook, or, indeed, off the estate, the place of their nativity, and above all, from being exposed to sale by public auction, in execution of decrees, or in satisfaction of revenue demands."

The right which the slaves in the Tamil country possess to continue attached to the soil where they are born, which, though not universal, is pretty general among them ; their dependence rather on a community than on an individual, and perhaps the vicinity of some of them to the presidency, where a general knowledge prevails, that the spirit of our government is inimical to bondage, seem all, more or less, to have contributed

to render their condition in some degree at least superior to that of their brethren on the other coast. It is by no means, however, to be understood that this is universally the case. Their treatment necessarily depends principally on the individual character of their owners; and when we reflect on those evils that are inseparable from even the mildest state of slavery, and consider how large a portion of our most industrious subjects are at present totally deprived of a free market for their labour, restricted by inheritance to a mere subsistence, and sold and transferred with the land which they till, policy no less than humanity would appear to dictate the propriety of gradually relieving them from those restrictions, which have reduced them, and must otherwise continue to confine them, to a condition scarcely superior to that of the cattle which they follow at the plough.

While such, in the opinion of the Board, ought to be the policy to be pursued with regard to this class of people, it would be obviously unjust to interfere with the private property, which there can be no doubt that the ryots at present possess in their slaves; and it might be dangerous too suddenly to disturb the long-established relations in society subsisting between these two orders. For the present, therefore, it would seem sufficient, with the view to prevent oppression, or abuse of authority, to define by legislative enactments the power which may be lawfully exercised by a ryot over his slaves; but as the revenue records do not afford information sufficiently minute and satisfactory for this purpose, it is resolved to call the particular attention of the collectors in Canara, Malabar, and the Tamil country to this subject, and to desire that they will take an early opportunity to communicate fully their sentiments thereon, for the consideration of the Board.

The Board in consequence procured the opinions of the various collectors, of which we subjoin an epitome.

Mr. Hargrave, of Salem, says: "I can safely state in the manner referred to in these communications, there is no vestige whatever of slavery in this collectorate, nor has any such practice obtained from the time the country came into possession of the Honourable Company. During the Mussulman government, there were a few slaves belonging to certain nunjal lands in the vicinity of the Cauvery; and there are now some descendants of these people, but they are just as free as any other inhabitants. I have heard of one or two instances of a child being sold for the purposes of domestic slavery; but this is uncommonly rare, and otherwise, such a circumstance as a person being sold as a slave has never transpired."

Mr. Sullivan, of Coimbatore, states that slavery exists but in a very few villages of this zillah; that the children of slaves are born slaves, and that the right of the owner to sell his slave without the land is very seldom, if ever, exercised. He adds that the master is supposed to be vested with despotic authority over his slaves, though its exercise is not permitted by the British government; he has also a power over the property of the slave, and may make use of the cattle reared by the slave for agricultural purposes; that, on the other hand, a slave may object to serve another master to whom the land is conveyed. Mr. Sullivan states that there appears reason to think that the slaves are, on the whole, better treated by their masters than the common class of free labourers; they have about an eighth of the produce allotted for their subsistence, and in some instances land has been made over to the pulvers, which they cultivate for their support.

The collector of Tanjore, Mr. Hepburn, gives the following statement:

From the best information I can obtain upon this subject, it appears that slavery, unconnected with the land, does not exist in this district; but in connexion with the land, slavery does exist in this district to a certain degree, although the situation of these people is widely different from what is understood by the term slavery in other parts

parts of the world, the whole being in the first instance here founded upon a voluntary contract between the parties.

The slaves here are of two castes only, the puller and pariah; and, as before said, the origin of their bondage arises in a voluntary agreement on their part to become the slave of some man more powerful than themselves, upon whom they thus impose a more strict obligation to protect and maintain them and their families, than if merely serving them as labouring servants. The bramins, in consideration of their caste, do not receive these bonds of slavery directly in their own name, but have them generally drawn out in that of some of their soodra dependents. When a bond of slavery has been given, it ceases not with the life of the party, but is binding upon the descendants of the original giver, who continue bound by the condition of it likewise. In return, the owner is obliged to find subsistence at all times, and under all circumstances, for the family of his bondsman, whom he can employ in any manner he pleases, although it is generally as a labourer in the fields. The bondsman does not reside in his master's house, nor form any part of his family, but has a house provided for him, along with the others of his caste, to which a back-yard of eighty goontahs, rent-free, is attached, the same as other labourers. The master has the power of selling the slave, but he cannot sell him to any one who will carry him to a distant part of the country, without his own consent. If the master, through poverty or other cause, fails, or becomes unable to subsist and protect his bondsman and his family, he is at liberty to seek employment as a free labourer elsewhere, but is liable to be reclaimed at any time by his master, when he may be again in a condition to fulfil his part of the agreement. When lands are sold in any way, it is always independent of the bondsmen, if any, upon it. If they are likewise to be sold, separate deeds of transfer are passed; if not, they continue attached to their former masters. No person of this description has ever yet been considered as seizable property, or sold for an arrear of revenue, nor do I believe ever by a judicial decree in any civil cause; nor have I ever known this species of property recognized by the officers of Government, although it is by the natives themselves, in their transactions with each other.

On the part of the bondsman, his rights are, subsistence and protection for himself and family, from his master, with liberty to seek it elsewhere, as a free agent, if not found him, and the right of not being removed by sale to a distant country from the place of his birth. With regard to himself personally, his treatment from his master is the same as that of his other labourers, which is in general of a mild nature, but he is not more liable to personal punishment than others, in consequence of his state of bondage, and any cruelty or abuse of authority on the part of the master towards his bondsman, would be complained against and punished with equal strictness as if committed upon a free man.

Upon the whole, therefore, the Board will perceive that the condition of these people differs very little from that of the common labourer, and that the treatment to both is nearly the same. The disadvantage to the bondsman is the power of being sold or transferred to other masters, and this, I believe, is not very frequent, as it is the last property generally which is disposed of by a person in distressed circumstances. The advantages are, the more effectually securing subsistence and protection to themselves and families, particularly in times of trouble or difficulty, than it is binding on masters in general to bestow upon common labourers, and this without rendering their condition in any degree intolerable, towards the amelioration of which the equity and mildness of the British Government have greatly operated, in respect to rendering the conduct of masters to their servants indulgent, forbearing, and kind.

I do not find that the system of slaves attached to the soil, and transferable by purchase, as an appendage to the land, obtains here.

Mr. Lushington, the collector of Trichinopoly, states that the terms and nature of the agricultural and domestic slavery, which has existed from time immemorial in Hindostan, differ essentially in almost every district. The number of pullers in Trichinopoly he estimates at about 10,600; they are to be

be found only in those villages where there is paddy cultivation. Their services are chiefly confined to the irrigation of the land; occasionally they are required in menial domestic offices. If a wall or a pundall is wanted, the pullers are obliged to erect it, without any further recompense than their usual emoluments. They are usually sold with the land, but in many cases may be purchased independent of the land: a female puller is never sold. The services of pullers are also occasionally mortgaged. They are entirely supported by their masters in sickness and in health; their marriages and funerals are defrayed by the meerassidars, and they have a small gratuity at the birth of a child. At the principal Hindu festivals, they receive a certain sum. Their emoluments, though small, he has every reason to believe are scarcely ever withheld. In regard to their treatment, Mr. Lushington says:—

I have examined the pullers themselves on this subject, and asked them what course they would pursue, if ill-used; they replied, they would seek other masters at a distance, who would treat them more kindly. In corroboration of this fact, I have never received a complaint, either in my fiscal or magisterial capacity, since my appointment to this district, from a puller against his master. The right of the puller is so distinctly defined by custom, and the interest of the merassidars so substantially affected by the good conduct and health of the puller, that it is hardly possible to suppose the merassidars would be so blind to their own interest, as to cause their pullers to abscond, or by harsh treatment reduce them to sickness.

It has been the custom to describe the pullers as the lowest order of society, involved in wretchedness and misery, and reduced to a condition "scarcely superior to that of the cattle they followed at the plough." In Malabar, it would also appear, the human form has even changed its wonted appearance, and that the slaves are distinguished by their diminutiveness.

This theme holds out a fine subject of declamation; but so far as it relates to this class of people in Trichinopoly it is highly erroneous, inasmuch as there is no class of people generally so athletic or tall in stature, as the pullers.

It may possibly be urged, that there is something degrading in a government being concerned in selling human beings, "like so many cattle." It would, perhaps, be better if it could be avoided; but so long as the land continues possessed by brahmin merassidars, who, by the immutable laws of caste, are prevented personally exercising the offices of agriculture, I see no possible means of collecting the revenue, nor of cultivating the land, without the establishment of pullers. Divesting this discussion of national feeling, the most obvious inconvenience and evil which attends it is, that a man, for the sake of food and the other necessities of life, is condemned to perpetual labour. I exclude all unreasonable rigour on the part of the master, because I have already shewn, that the ruling principle of human conduct, self-interest, is conducive, in the present instance, to soften severity. But whether this obligation to perpetual labour on the part of the puller is not fully required by a perpetual certainty of maintenance (for which those who work for hire are often at a loss), may, I think, be fairly doubted. It is, however, possible that the advocate of freedom may think with Cicero, and the third judge in Malabar: "*Mihi liber esse non videtur, qui non aliquando nihil agit.*"

From the report of Mr. Cotton, collector in Tinnevely, we extract the following passages:

From all the information I have been able yet to collect on this subject, I understand it is usual in this district for slaves to be sold or mortgaged, either with the land or separately, as the proprietor pleases, or his wants require; and that there is no particular rule or general custom by which the conduct between master and slave, and between slave and master, is governed, further than that the master has at all times the command of the slave's labour, and that the slave cannot work for any other person, without the permission of his master.

In regard to the treatment of masters towards their slaves, it does not appear to be incumbent on them to afford a subsistence to their slaves, except when employed on their business, and then it is on the lowest scale of allowance, being generally no more than two measures of paddy a day; at other times, their slaves are obliged to seek a livelihood at the hands of others, being bound only to return to their master, when the season of cultivation again commences: besides this allowance, however, which the slaves receive from their masters on working days, they are entitled, when the crops are reaped, to a small deduction from the gross produce, called here "paroo," which varies in different villages, but amounts generally to about 2½ per cent.; and it is usual, when deaths occur amongst them, for their masters to assist them in the necessary funeral expenses; and, on marriages, births, and festival days, to grant them presents, according as their circumstances will admit; but these are acts quite voluntary on the part of their masters; and the slave, it appears, can claim nothing more than a bare subsistence while he works, and his solunterm, as above described, at the time of harvest.

All punishment of the slave by the master, if this power ever existed, and was recognized in former times, seems now to be at an end; and there is no instance, I am happy to say, within my experience in this district, of a slave complaining of ill-treatment from his master; the fact, indeed, appears to be, that the slave is so necessary to the cultivation, and labourers are so scarce, that the proprietors find it their interest to protect and treat them well; and the slaves, in time, become so attached to the village in which they are settled, that they seem not to consider their situation, nor to shew any desire to be free and independent.

Mr. Harris, of Canara, gives a very detailed account, "drawn up with care and from the very best sources," of slavery in his district, which we shall endeavour to epitomize. The rights of the bramins over the dthers, or slaves, in Canara, are deduced from one of the *Puranas*, which traces the institution up to a period not long subsequent to the fabulous recovery of the country from the sea by the god Purasurama. The servile classes in Canara are twelve in number; they are, however, not all, strictly speaking, slaves; one-half are transferred with the estates or sold; the remainder are nominally slaves; they sell their children, but work themselves as daily labourers on estates. The twelve classes are chiefly occupied in agriculture; they also rear cattle and perform the lowest menial offices, and every description of labour unconnected with the internal economy of the master's house, which they may not enter. Their number is estimated at 60,000, besides which the pariahs or outcasts amount to 20,000; the slaves of all descriptions, in Canara, Mr. Harris estimates at 82,000. The master can lend his slaves on hire; he can also sell the husband to one person and the wife to another, though this is not often done, because neither of the purchasers can be sure of keeping his purchase. For a similar reason, care is always taken not to transfer the slave to any estate remote from that on which he was born, the attachment of these poor creatures to their natal soil being well known. The master may also sell the children, but this is seldom done, through fear of their deserting. The master feeds and clothes his slaves according to his means; the quantity of food and clothing varies in every talook; the average is thus stated: the food consists of one Canara seer and a half of coarse rice, two rupees' weight of salt, and a little betel-nut and leaf, for a man; for a woman one seer, and for a child three-quarters of a seer; it is also customary to give them congee from the master's house; the clothing is two pieces of cauthy of six cubits for a man; one piece of seven cubits for a woman, and one of four cubits for a child. The master never pays them wages in money; he presents them on their marriage, or on particular ceremonies, with a small sum. He says that he

cannot learn that any wanton cruelty is experienced by the slaves, the master being well aware that on any ill-treatment they will desert him, and the trouble and expense attending their recovery would perhaps amount to the value of the deserters. "As a distinct class of people they have distinct customs. These consist in their marriage and religious ceremonies. They have no day which they can call their own. It often happens, however, that a kind master, on any of his great ceremonials, grants to his slaves that day to themselves, and free from all labour. They accompany the corpse of their master to the funeral pile at a respectful distance, shave their heads, and cry out. The cloth which covered the corpse is given to the slaves. The twelve classes have different customs. A dher can be turned out of his sect if he eats the flesh of a cow, by an assembly of the caste; but it is of no consequence to the owner. Some classes eat cow's flesh. A few in the Byr Holler learn to write. If a dher accumulates a little real or personal property, he retains it independent of his master. The dthers either burn or bury their dead. The master of a deserving slave sometimes gives him a slip of ground, which he may cultivate for his own use. He also enjoys the produce of such trees, roots, and vines as he is permitted to plant; but the right in the soil or tree is in the master. They sacrifice to the devil only; they have no priests, performing their ceremonies themselves. These are three times in a year; they cannot even perform them without the master's permission, for as they are prohibited borrowing money from any one but himself, they are compelled to get the means from him. The same applies to their marriages. There does not exist any interference on the part of the master in the ceremonies; but if the slave of one man marries the female slave of another, the child born of that marriage, if a male, goes to the owner of the male, and *vice versa*."

Mr. Vaughan, collector in Malabar, found that the customs in that part were so various that no individual could afford him any clear and satisfactory information upon the subject. He resolved, therefore, to set on foot an inquiry amongst the Mokiestans in the several talooks throughout the province, to all of whom he proposed queries, which and their answers are annexed to his report. We subjoin a copious abstract of Mr. Vaughan's summary :

With regard to the condition of the slaves in Malabar, there cannot be a doubt but that it has been very materially improved under the establishment of our government. The system prevails throughout Malabar, but, comparatively speaking, in north Malabar, to a very small extent, increasing gradually from the northern extremity of the province to the south and eastern boundaries. Their numbers may be estimated at about 100,000, of which perhaps one-twentieth are to be found in north Malabar, four-twentieths in the centre talooks, and the remaining fifteen-twentieths in the southern and eastern talooks; in this estimate I have not included those in Wynaad. They are slaves of the soil, and are generally attached to the land of the proprietors of the ground in which they were born; but this is by no means considered an essential point, being frequently transferred by sale, mortgage, or hire. The wealth and respectability of a landholder is as much appreciated from the number of his slaves, as from any other property he may be possessed of. By the laws and customs of the country, it is as impracticable to reduce a free-born subject to a state of bondage, as it is contrary to them to emancipate a slave; and, "once a slave always a slave," may be considered a motto to be prefixed to the subject of slavery in Malabar, according to the ideas of the natives. Slaves now in existence have been slaves from their birth; they are descendants of slaves, whose origin must be traced in the traditionary legends of Malabar; and I question whether they would not think themselves dishonoured, were an attempt to be made to force upon them a brahmin who had lost caste; they are subdivided into distinct

tinct castes or sects, observe different forms of worship, have their separate and peculiar customs, and regulate their economy in conformity to the customs handed down from father to son for generations, the origin of which is lost in the abyss of time. In one sect they observe, what in the documents which accompany this is termed *makkas tye*; in another, they observe the *marra makkas tye*; the former being the common laws of kindred, the latter similar to the customs amongst the Nairs, in which inheritance goes to the sister's son, and this constitutes the value of a female of one caste over that of the male; and *vice versâ*, a male being more valuable where the progeny goes with him.

The marriage contract is made entirely among the parents of the parties, without any interference on the part of the proprietor, to whom, however, it is necessary to make known the proposed connexion. No valuable consideration is given by the male for the possession of the female to the owner. The contract may be dissolved at the pleasure of the parties connected, in which event the husband takes off the marriage necklace (commonly composed of shells or brass ornaments), which makes the dissolution complete, and each are at liberty to form new connexions; but whilst the contract lasts, I have had opportunities in my magisterial capacity, when an assistant in the courts, of observing a wonderful degree of jealousy, and tenaciousness of family honour, when contrasted with the general appearance, habits, and apparently brutish stupidity of these castes.

The measure of subsistence to be given by the proprietor is fixed, and he is bound by the prescribed customs of the country to see it served out to them daily; a frequent failure on the part of the master to perform this duty, is sure to be attended with desertion to another, from whom they expect kinder usage; and when this does take place, the recovery of them is attended with difficulties that are not easily overcome, for, independent of being obliged to have recourse to courts of justice, months and years perhaps elapse before they can discover to what place the slave absconded. In short, the proprietor feels it his interest to see them well treated, through apprehensions of the consequence of an opposite conduct. In former days, the proprietor possessed the power of life and death over his slave; but this was probably seldom or ever had recourse to, and desertion only would, in all probability, have been one of the motives for so rigorous a measure; but there were many circumstances which would have operated as a check upon the gratification of this species of severity and revenge. I do not immediately recollect any instance of a Churma having appealed to a court of justice for protection from the ill-usage of his master; but instances are not wanting of persons having been brought to justice, and to a severe account, for the murder or wounding of a slave; and as it is universally known throughout Malabar, that British justice considers the life of the lowest individual as valuable as the highest character in the country, and that as severe a measure of retribution would fall on the head of the murderer of a slave as of a rajah, we may consider them as well protected by the laws as any other race of beings. In some respects Churmas may be considered in more comfortable circumstances than any of the lower and poorer class of natives. An instance of a Churma being a beggar is unheard of; they and their families are sure of having the means of subsistence, as, if the owner should be rendered unable to afford this, he will sell, mortgage, or hire his Churma to another, on whom would devolve the duty as well as interest of affording such subsistence as to enable the Churma to go through the labours of the day. Contrast this with the situation of a free-born but poor labourer, depending on the labours of a day for his subsistence, unable, perhaps, to find employment, with a wife and family to support, and no one to whom he can look up for protection or subsistence.

Appended to Mr. Vaughan's report is an extract from Major Walker's report on the tenures of Malabar, wherein he speaks of the Chermers, whom he describes as a property distinct from the *jenm*, or freehold. The Chermers, he says, are absolute property, constituting part of the live stock on an estate, which may be sold with or without the slaves: both kinds of property are equally



equally disposable, and may fall into different hands. The Chermers may be sold, leased, and mortgaged, like the land itself, or any cattle, or thing. The jenmkar, by the ancient laws of Malabar, is accountable to no person for the life of his own Chermer, but is the legal judge of his offences, and may punish them by death if they should appear to deserve it. The latter part of this statement is at variance with all those given by the Mokiostans on this point; they say that, in former times, it was in the power of the master to punish the slaves by flogging, imprisonment, chains, and cutting off the nose, which was the utmost extent of punishment they could inflict. They add that at present reprimand or slight corporal chastisement is all they can administer: the punishment of great offences is reserved for the circar.

The collector of Chingleput, Mr. Cooke, states that the adami, or slaves, in this district are pariahs, who have sold themselves, either for money or some other consideration; they thereby pledge themselves to service, and their posterity for ever, and are at the disposal of their purchasers, either for resale, mortgage, or gift, and are compellable to labour, provided the work be not derogatory to their religious prejudices. They are not attached to the soil, but are the moveable property of the individual. The claim to a slave's children does not always rest in his immediate proprietor, unless he marries a female belonging to him; should he marry a female belonging to another person, the children of such union mostly become the property of the proprietor of the female. The disposal of the children born of a female slave previous to marriage depends upon the custom of the village: sometimes they are the property of her master, and sometimes are made over with herself to her husband. The condition of the adami, he says, has been greatly improved of late years, the discipline exerted by proprietors over their slaves having been formerly very severe. Those employed in the cultivation of land have, for the most part, their allowances regularly rendered to them, so much grain being granted to each labourer, and a proportionate subsistence for each member of his family; they are housed and clothed, and during the principal festivals, other allowances are made them in money and clothes; the cost of their marriages are also defrayed by their masters, who support them when infirm.

The collector of Southern Arcot, Mr. Hyde, states that the slaves in this collectorate are mostly of the puller and pariah castes, and chiefly employed in agriculture; their number, including children, is upwards of 17,000. They appear to have been generally born in a state of servitude; he adds that the lower castes of the sudra tribe are looked upon as *natural slaves*, the property of any person who contributes to defray their marriage expenses, which is the ordinary source, at present, of hereditary slavery. Previously to our assumption of the Carnatic, the owners of slaves might punish them at their own discretion, by castigation or confinement; but this power is no longer exercised. The acquisitions of slaves are generally considered to belong to the master, who, however, usually relinquish them to the slave's family. Slaves cannot contract marriage without their owner's consent, who, as they defray the expense, virtually revive the contract of hereditary bondage: the offspring are always regarded as the property of the father's owner. It is asserted that slaves are not attached to the soil in this district, but may be sold to any person and to an alien village; but Mr. Hyde is induced to think that such a practice is at variance with the rights annexed to the state of bondage. The owners are required to supply their slaves with food and clothing, to defray their charges at weddings, funerals, &c. The food is sufficient for subsistence,

but

but the clothing is very scanty, except where the slaves are employed in domestic offices. The owners are bound to protect their slaves in sickness and old age. Mr. Hyde adds : " although the state of servitude is ever repugnant to nature and humanity, yet I do not hesitate to express my opinion, that the state of bondage, as it prevails in India, is free from many objections that exist against the West-Indian slavery, for here the convention is mutual, the slaves enjoy the purchase-money, and are not compelled by oppressive power to become bondsmen in a foreign land ; and as their contracts proceed from themselves, the odium annexed to the despotic mode of constituting slavery in Africa is obviated."

Mr. Hutt, the acting collector of Northern Arcot, describes the slavery of this division as far less extensive. The total number of slaves in North Arcot is only 688, and the practice is chiefly confined to five talooks. They are pariahs, and employed in agriculture and tending cattle, occasionally doing house-work. A peculiar feature in the slavery of this district is that the slaves do not appear to belong to any slave caste, but to have been persons, or the children of persons, reduced to abject misery, who have exchanged liberty for subsistence, or debtors, who have mortgaged their persons. Their children are of course slaves, but the ownership of them is not settled ; in some talooks they belong to the father's owner, in others to the mother's. They are fed and clothed by their masters ; their food is raggy, the coarsest kind of grain ; their clothing is a common cumly. Their aspect is wretched. The power of the master is unlimited, except where the law intervenes to prevent cruelty and murder ; they may appropriate to them whatever work they please ; they may sell them, or compel them to accompany them wherever they go ; they are the private servants of the individual, and not the slaves of the soil.

Mr. Peter, collector in Madura and Dindigul, reports that in these districts the custom of slavery is less common than in the adjoining zillahs. He describes the practice to be as follows :

When a pullar or pariah was unable to gain a livelihood, he was accustomed to offer himself or his relatives as slaves to the cultivating inhabitants, for a sum of money, varying from one to ten cully chuckrees, when a bond of slavery was drawn out and signed. If they married, their children were considered the property of the owners, and they were employed in the cultivation of land, and were maintained by the owners, who frequently for their services would grant them a solundrom, or allowance in grain, in addition to other allowances. If the proprietor of land was obliged to dispose of the whole of his land, he still retained possession of his slaves, and disposed of them as he pleased, they not being considered attached to the land thus sold. If an owner was unable to maintain his slave, he could let him out to others, by which means he frequently derived a maintenance both for himself and slave, but the slave was obliged to return to his master whenever he required him, who could mortgage or sell him at pleasure. Since the assumption of the country, some slaves have continued with their masters, others have left them, and have even enlisted as sepoys. I cannot discover that any pullar has sold himself as a slave of late years ; indeed slavery altogether seems gradually disappearing, which may be attributed to the knowledge that it is not encouraged in the different courts of justice. Some pullars cultivate their own lands, and have their own puttiams ; those who cultivate the lands of others, and who are not slaves, receive a regulated hire.

One point to which the attention of the collectors was directed was the price of slaves ; but the value seems to differ so much in every district, that no fair average can be taken. The collector of North Arcot has appended to his report copy of a slavery bond of an old date, whereby a mother contracted for

for the sale of her two sons, "as slaves from generation to generation," for the sum of two pagodas one rupee and nine fanams, about 20s. English money!

Another question was, whether it was customary for the slaves of defaulters to be sold for arrears of revenue, which appears not to have been the case, except in Malabar; and by an order from the Board of Revenue, dated 23d December 1819, such a practice is ordered to be immediately discontinued. In the case referred to by Mr. Baber, the slaves were seized without the knowledge of the collector, who, on a representation that they were about to be sold, ordered his officer to restore them, which order was disobeyed, and the slaves, four in number, were sold by public auction for thirty-two rupees. It appears, however, that where lands were sold in execution of decrees for arrears of revenue, the slaves on the lands must have been transferred along with it; and it is plausibly urged that the sale of slaves by government without the land cannot be a more serious evil, especially where the state of the native law permits a defaulter himself to sell his slaves in order to defray the government claims: *qui facit per alium, facit per se*.

In an elaborate report from the Board of Revenue, wherein the representations of the several collectors are separately considered, and wherein is given a review of the state of slavery in the East, the Board, for the reasons they assign, founded on the statements of the collectors, express their opinion that an immediate interference on the part of government is not particularly called for, and that no alteration in the existing state of slavery should be made except by decrees, and after mature and attentive consideration. They add:

But, because no immediate measures are urgently called for, it does not follow that the most useful, the most laborious, and one of the most numerous classes of our subjects in these territories should, from generation to generation, continue the hereditary bondsmen of their masters, incapable of inheriting property of their own, deprived of that stimulus to industry which possession of property ever inspires; and because they are fed and clothed, and reconciled to the present condition, it does not follow that the government should confirm institutions, which doom those who have thus fallen into this condition incapable of ever again recovering their liberty, or of rising to a level with their fellow-men. Independently of those principles, hostile to any restraint on liberty, which are innate in every British government, and which, as contained in our judicial code, without any express enactment on the subject, have operated to check abuses of masters towards their slaves; and independently also of those feelings among free men, which naturally prompt them to extend to every one under their government the blessings which freedom confers, it appears to the Board, on the mere calculating principle of self-interest and policy, to be desirable, that no one should be deprived of the means of acquiring property, or of diffusing those benefits among society, which proceed from an increase of capital and wealth.

They accordingly suggest that the further purchase of free persons as slaves should be declared invalid and illegal, and all children hereafter born slaves should be pronounced free; that, however, any person might contract, in writing, to labour for a term of years, or for life, such contract should be binding only upon the individual who executes it; that slaves should be held competent to possess property, and to dispose of it without their master's interference; that the purchase of female children, to be educated as prostitutes, should be prohibited; that owners of slaves should be bound to provide wholesome food for them as well as clothing, and not to neglect them in sickness, age, or infirmity; that they should be deprived of the power of corporal punishment; that slaves ill-treated by their master, should be allowed to change owners; that a breach of the law should enfranchise the slave; that  
slaves

slaves should be allowed to purchase their liberty at the price paid for it, and that slaves attached to lands which may escheat to government should be liberated. They recommend that these suggestions should be well weighed before they are adopted, and that the legislative enactment intended to carry them into effect, and which must contravene the existing Hindu law, be framed with great caution.

When these documents came before the home government for review, the Court of Directors wrote to the Madras government, 28th April 1824, as follows :

In the districts subject to your presidency, the rights and obligations of master and slave appear to be very indistinctly defined ; and this obscurity of the law we apprehend to be favourable to the slaves, for, whatever the legal power of masters may be, their actual control over the liberties of those persons who are nominally their slaves appears to be but small. We desire that you will be extremely cautious in making any regulation for defining the relations of master and slave. It is our wish to improve the condition of the latter to the utmost extent, and we fear, that in defining the power of masters, acts of compulsion might be legalized, which by custom are not now tolerated, and the slaves might be placed in a worse condition than before.

We shall defer making any further remarks on the subject till we receive a further communication from you.

The Governor in Council of Madras, 3d February 1826, declare that the views and opinions above expressed coincide entirely with their own.

This article has run to a length so far beyond what we expected, that the analysis of the remaining papers must be reserved for the next number.

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#### THE SUTTEE.\*

SCATTER, scatter flowrets round,  
 Let the tinkling cymbal sound ;  
 Strew the scented orient spice,  
 Prelude to the sacrifice ;  
 Bring the balm, and bring the myrrh,  
 Sweet as is the breath of her,  
 Who upon the funeral pyre  
 Shall ere Surya sets expire.  
 Let pure incense to the skies  
 Like the heart's warm wishes rise,  
 Till unto the lotus throne  
 Of the great Eternal One,  
 High ascending it may please  
 Him who guides our destinies.  
 Bring the pearl of splendid white,  
 And the diamond-flashing light ;  
 Bring your gifts of choicest things,  
 Fans of peacocks' starry wings,  
 Gold refined, and ivory,  
 Branches of the sandal tree,  
 Which its fragrance doth impart  
 Like the good man's injured heart ;  
 This its triumph, this its boast,  
 Sweetest 'tis when wounded most !  
 Ere he sets, the golden sun  
 Must with richest gifts be won ;  
 Ere his glorious brow he lave  
 In yon sacred yellow wave,  
 Rising through the realms of air,  
 He must hear the widow's prayer.

\* From the "Fakcer of Jungheera," a new poem, by Mr. Derosio, an Indo-Briton of Calcutta.

## THE CHURNING OF THE OCEAN,

OR BATTLE BETWEEN THE GODS AND THE GIANTS.

*(From the Mahābhārata, b. 1. ch. 15.)*

THERE is a mountain, Meru named, where dwell  
 Dévas,\* Gandhárvas,† and Apsárases.‡  
 Its golden peak, radiant with sparkling gems,  
 Effulgent darts intolerable light.  
 Down its luxuriant sides profusely shed  
 Rare flowers and shrubs their odours, amidst groves  
 Vocal with song commingling with the sound  
 Of gentle murmurs from descending rills.

Upon the summit of this glorious mount,  
 In solemn synod met the host of heaven,  
 Deeply revolving in their thoughts sublime  
 How to obtain that liquor,§ which bestows  
 On mortal natures immortality.  
 Long pondered they; at length to Brahma || thus  
 Naráyana,¶ creative spirit, spake:

“Churn the vast ocean, like a pot of milk!  
 “Let herb and tree and each created thing  
 “Ingredients be! and let the strength of gods,—  
 “Súras,\*\* Asúras,†† stir the curdling mass,  
 “Till its concocted juices, ripe with heat,  
 “Yield the sought gift!” and Brahma willed it so.

Another mount there is, Mandára called,  
 Lifting its craggy summit to the clouds,  
 Whilst deep in earth its giant roots descend.  
 Its desert waist the wandering creeper clothes  
 With tangled tendrils, that reticulate  
 Hamper the tiger in their mazy toils.  
 This mighty mound the heavenly bands essay  
 To lift into the deep:—a vain attempt!  
 Firm stood the stubborn rock. The dévas foiled,  
 Besought Great Brahma’s succour. At his call  
 The snaky deity appeared,‡‡ and taught  
 By great Naráyan, he upheaved and raised  
 With its incumbent weight the ponderous load,  
 And on his Atlantean shoulders bore  
 His burthen to the ocean. Váruna §§  
 Beheld with dread the impending mass, and claimed,  
 As compensation, to divide the prize.

The mountain placed upon the tortoise-back  
 Of Kúrma rája,||| Vásuki, the snake,  
 Twined as a rope around its well-poised bulk,

The

\* Dévas, gods. † Gandhárvas, the male attendants and musicians of Swarga, or Paradise.

‡ Apsárases, celestial nymphs and messengers of Indra’s court. § Amrita.

|| Brahma, the self-existent, the creator; the first person in the Hindu triad.

¶ Nárdyana, “moving on the waters,” the same with Vishnu, the second person in the triad; the preserving power. \*\* Súras, good genii. †† Aniras, gigantic demons.

‡‡ Ananta, the god of serpents. §§ Váruna, the god of waters.

||| Kúrma rája, king of the tortoises, who supports the earth.

The fiery Indra \* whirled the monstrous staff,  
That made the ocean boil. The serpent's head  
Anon the Sûras seize; the Asûras grasp  
The tail; thus to and fro they vigorous pull  
The living cable, whilst its gaping jaws  
Belch mingled smoke and wind and ruddy flame,  
O'er head concentrating in pitchy clouds,  
That dart the forked bolt. Fainting with toil,  
Refreshing dews revive the bands divine,  
And showers of blossoms from the sky descend.

Meanwhile old ocean groaned; its finny tribes  
Were crushed to paste and mingled with the foam.  
The dire convulsion from the centre shook  
The solid earth; devouring flames burst forth  
From friction; craft, nor strength nor speed  
Could rescue man or beast, the general prey:  
The conflagration runs with direful speed,  
Till Indra's power the spreading ruin stays.

The ocean now a milky hue assumes,  
And straight coagulates like thickened cream.  
But sinking with their task, the exhausted bands  
Once more implored the omnipotent; whereat  
Narâyana their drooping spirits cheers  
With words of comfort and encouragement.

The labouring gods again commence their toil;  
Again the frothing ocean boils and groans.  
When lo! from out the foamy, unctuous mass,  
First rose the moon † with placid aspect, clad  
In twice ten thousand beams of lambent light,  
Looking benignity; next Sri ‡ appears,  
Couched in the water-lily's snowy cup;  
Wine's smiling goddess § next arose, and then  
Uchisrava, || and that bright gem Kaustubha, ¶  
And Párijátaka, \*\* and the sacred cow: ††  
Along the solar path they march to heaven.  
Last came the bearer of the precious lyraph,  
A Déva, but in mortal shape; his hand  
A crystal goblet held, where sparkling flowed  
The AMRIT, beverage of the deathless gods.

Loud shouts of triumph from the Asûras spring  
And each with boisterous uproar claims the prize,  
As vast Airāvata ‡‡ uprears his bulk.

Nor yet the mighty staff suspends its whirl;  
The ocean still fermenting, from the dregs  
And feces of the mass, a deadly bane  
Was spawned upon the surface: flame and smoke,  
Pestiferous, rank, and mortal, issued thence,  
Wrapping all nature in the garb of death.

Now

\* Indra, god of the firmament.

† Chandra, said to be the reservoir of the amrita.

‡ Sri, or Lakshmi, the goddess of fortune or abundance.

§ Sura Devi.

|| Uchisrava, the heavenly white horse.

¶ Kaustubha, the jewel worn on Narâyana's breast.

\*\* Párijátaka, the tree of plenty.

†† Surabhi, the cow that grants every heart's desire.

‡‡ Airāvata, the elephant of Indra.

Now had the universe itself expired,  
 But Siva,\* touched at human misery,  
 Stood forth in man's behalf, and ate the drug,  
 Which to his throat adhered, blue-dyed, and thence  
 "The blue-necked god,"† his name 'mongst grateful men.

Despair the Asúras seized : when Vishnu stood  
 In lovely form before their wondering eyes,—  
 Fairer than fairest amongst mortal fair,—  
 Whose charms with magic fascination stole  
 Each heart, and maddened they resign the prize  
 To their enchantress : she passed round the cup  
 Till every Súra quaffed the living stream.

Ráhu ‡ alone, of all the Asúra throng,  
 Clothed in a Súra's shape, tasted—no more :  
 The sun and moon revealed the cheat, and ere  
 He drank, Naráyana his chakra § seized,  
 Miraculous weapon, like the solar disk  
 Refulgent ; launched with more than lightning's speed,  
 Its trenchant edge severed the demon's head.  
 Down dropped the unwieldy trunk, ploughing the earth,  
 That shuddered at the shock ; hills, islands, woods  
 Rocked, as when labouring nature feels a pang.  
 The monster's head, immortal, cleaved the air  
 With horrid cry, and heavenward took its course ;  
 And there its rancorous feud it still maintains,  
 Still striving to devour both sun and moon.||

Now 'twixt the Súras and Asúras rose  
 Tremendous war. Naráyana laid by  
 His female form, and vexed the giant-band  
 With arms celestial. Dire was the din ;  
 Thick fell the darts as hail, and sparks of fire  
 Flashed from conflicting axes, clubs, and swords.  
 The chakra's course was marked with streams of gore ;  
 And rolling heads, crested with gold, huge limbs  
 And jewelled carcasses, defiled with blood,  
 Lay strewed like rocks powdered with sparry ore.  
 Loud shouts ascend on either side : "Pursue !"  
 "Strike to the Earth !" "Down ! Down !" the victors cry :  
 Sighs, shrieks and groans, in dreadful unison  
 With clash of arms, are heard : the sky is dyed  
 A sanguine hue : the sun seems dipped in blood.

Now Nara ¶ and Naráyana conjoin  
 To quell the demon-crew. Instinctive leaped

The

\* Siva, or Mahádéva, the third person in the Hindu triad ; the destroying power.

† Nilkanta, "blue neck," one of the titles of Mahádéva.

‡ The giant Rahu is a personification of the moon's ascending node : the whole of this passage is obviously an astronomical allegory.

§ The *chakra* is a wheel or disk with a sharp edge. It is a weapon still used in the Punjab. It is here identified with the ecliptic, by which the dragon of old was feigned to be cut in two parts ; Rahu, the head or ascending node ; Ketu, the tail or descending node.

¶ The eclipse, which is alluded to as occurring at this period, is calculated to have happened on Thursday, 25th October, in the year before Christ, 945.

¶ Nara, the eternal, or Brahma, sometimes identified with Naráyana. Thus Menu : The waters are called *nárd*, because they were the production of Nara, or the spirit of God ; and since they were his first *ayana*, or place of motion, he thence is named *Naráyana*, or moving on the waters. C. 1.

The glittering chakra to its master's hand,  
 Whilst Nara grasps the bow. Sad havoc then  
 And devastation thinned the Asúras' ranks.  
 The ponderous keen-edged orb, with ruin charged,  
 Hurl'd by great Vishnu's lithe and sinewy arm,  
 Lights blazing on their heads. The rebel rout  
 O'erwhelmed, by thousands sink beneath its blows,  
 As self-impelled the ardent weapon flew  
 From place to place, with desolation winged :  
 Anon it seeks the skies, and headlong thence  
 It tends below, fiend-like to feast on blood.

Nathless, the giant-brood undaunted braved  
 The storm. By desperation urged, they tore  
 Mountains and rocks deep-seated from their beds,  
 Uprooted with their lakes and shaggy loads  
 Of wood and forest,\* and aloft they flung  
 The ponderous missiles through the azure vault,  
 That seemed obscured with trains of murky clouds  
 Thick following. Hills with hills in middle air  
 Encountering broke, their massive fragments fell  
 With thundering uproar to the affrighted earth,  
 That from its centre quaked. Thus did they mix  
 The very elements in desperate strife.†

Nara, meanwhile, beheld the phalanx bright  
 Of warrior spirits stand aghast with fear ;  
 And from his bow divine he loosed a flood  
 Of golden shafts, that cleared the ethereal road,  
 And crumbled every flying hill to dust.  
 Upon their foes the Súras turn ; once more  
 Discomfited, the Asúras flee amain.  
 Sore pressed in flight, their idle weapons fall,  
 And like a timorous flock, beset by dogs,  
 They plunge into the deep, or, with their fall,  
 Dig in the earth dishonourable graves.‡

The immortal bands victorious back returned.  
 Vishnu's death-dealing orb, its fires assuaged,  
 Reposed in heaven. Raised from ocean's bed,  
 Mandár again its ancient station takes,  
 And the tired deep, at length, subsides to peace.

The drink of gods, by Súras thus obtained,  
 Vishnu receives from Indra, thundering god,  
 To guard from all but Dévas' lips alone.§

\* From their foundations loosening to and fro  
 They plucked the seated hills, with all their load,  
 Rocks, waters, woods, and by the shaggy tops  
 Uplifting bore them in their hands.—*Milton*, b. vii.

† So hills amid the air encountered hills,  
 Hurl'd to and fro with jaculation dire.—*Ibid.*

‡ ————— and as a herd  
 Of goats or timorous flock together thronged,  
 Drove them before him thunderstruck.

————— Headlong themselves they threw  
 Down from the verge of heaven.—*Ibid.*

§ The reader will perceive the striking analogy between this episode and the story of the giants warring against the gods in Hesiod's *Theogony*, and the battle of the rebel spirits against the angels and Messiah in the sixth book of *Paradise Lost*.



## SKETCHES OF BURMAI,

BY A SUBALTERN.

*(Continued from last vol. p. 687.)*

HAVING adverted to the evils arising from our policy with regard to the gambling-house, I will proceed to take a cursory review of the other farms.

With respect to the opium farm, I am unwilling to trust solely to my memory for the assertion that the sale of this intoxicating drug is permitted within the limits of our late acquisitions. If, however, this be really the case, we may question the wisdom of the measure with such a people as the Burmese; the liveliness and irascibility of their temperament, their passion for gambling, and averseness from labour (characteristics common to the generality of the nations eastward of the bay of Bengal), form so many cogent reasons against the introduction of opium amongst them. His Majesty of Siam, whose dominions lie contiguous to ours, has legislated severely against it, and he has at all events the advantage of knowing by experience what affects the happiness of his subjects, and the prosperity of his realm.

The arrack farm, which is also in the hands of a Chinese, is situated somewhere about the western extremity of the fort. Happening to stroll one day in this direction, my curiosity to observe the process of distilling, as conducted by the disciples of Confucius, induced me to enter the place. I expected to find it a very primitive one, and the first glance convinced me I had not underrated it. No approximation to any of the inventions by which the operation is facilitated in Europe, was to be traced here.\* Two or three large coppers, in which the spirit of the grain was undergoing extraction by means of boiling; several vats containing arrack in various stages of fermentation, constituted the whole apparatus. The want of spirit in the liquor thus obtained is compensated by the presence of a strong tobacco flavour, which the Chinese contrive to communicate to it. This villanous stuff constitutes, notwithstanding, a favourite beverage with the common soldiery, who admire the zest. It were well for the troops, especially the European part, if liquor could only be procured here; but unfortunately there are small retail shops in every direction, in which a most intoxicating Chinese compound, termed shumsoo, is privately sold. Its destructive qualities are materially heightened by the introduction of a poisonous leaf, called by the Burmese the *dutree* leaf, into the liquor, with a view of enhancing its flavour; but I am not able to give the Linnæan name of the plant. The excessively low price at which shumsoo was retailed, being at the rate of eleven bottles for one rupee, tends greatly to increase the evil. The injurious effects of this liquor upon European constitutions were such that one-fourth of them at least was in the hospital at the same period, it being impossible to effect any thing beyond a temporary cure upon men whose stamina were completely undermined. Several plans to prevent the sale of shumsoo to the troops were carried into execution, without, however, producing any material diminution of the evil: in fact, the only method to extirpate it would have been to adopt the course pursued at Moelmyne, and banish each offender, on conviction, from within the limits of the cantonment.

The farm of edible birds'-nests is at Tavoy Island. This island is uninhabited, except by the few Chinese who are employed to collect these valuable nests. For the benefit of those readers who may not have it in their power to consult larger works on the subject, I may notice that these singular produc-

tions

tions are constructed by a species of sea-fowl (which resorts in large flocks to the island), from a fine description of sea-weed, or, perhaps more properly, sea-moss, so gelatinous in its nature as to yield, when boiled, either a soup or a jelly, possessing highly nutritive qualities. The abundance of these nests, which are much esteemed and demanded in China, may be inferred from the fact of this farm being purchased for the sum of 16,000 rupees by a Chinese for the period of a twelvemonth; and considerably more was expected for the monopoly of it for the ensuing season.

From the cursory nature of these remarks, the reader must not expect a methodical arrangement of subjects, and will therefore pardon the abrupt transition from statistics to matters concerning the priesthood. This quiet and inoffensive class of people principally inhabit a large village, or rather pettah, which stretches along the northern face of the fort, and is, like it, protected by a massive wall, whose flanks are connected with, and, in fact, form a part of, the one which encloses the town. A more tranquil or eremetical spot my foot never trod; and, were it not for the incessant barking with which the European garb is greeted by the pariah dogs, which swarm here from the assurance of finding an unmolested retreat, the mind could hardly fail of being impressed with the idea that the innumerable anxieties by which humanity is distracted, had never been able to obtain a footing here. Embowered amidst lofty and umbrageous trees, and retired from the road, the numerous and substantially built *kioums*, or monasteries, have a decidedly imposing appearance of religious seclusion, the effect of which is considerably heightened by the vivid contrast displayed between the surrounding luxuriant herbage and the carefully weeded and gravelly square which is contiguous to almost every monastery.

But, although by far the greater portion of the priesthood resides within the pettah, there are numerous religious houses beyond its precincts which are inhabited by the fraternity. After passing out at the pettah gate, and pursuing the high road, various pagodas with their dependent *kioums* present themselves to the eye for the space of about three-quarters of a mile from the walls, when the village, which bears the ominous name of the *Dead Village*, terminates the religious edifices in this direction. This startling appellation is derived from the circumstance of the houses, in general devoid of walls, being a sort of resting place, where the Burmese funeral parties deposit the corpses previous to their being conveyed into the burial-ground. Immediately after quitting this sombre spot, a broad track, turning to the right, leads round by the general hospital on Siam hill, and across the long wooden bridge, to the eastern gate of the fort.

To return to the monasteries: they are constructed of the finest and largest timber, and great labour is bestowed upon the workmanship. One of these *kioums*, in particular, is supported upon at least a hundred rounded posts, of such a girth and length as to surpass any timber procurable at the present day. A double flight of steps leads up to the principal entrance, where access to the interior can be obtained at all hours of the day: after crossing the verandah, which, like every part of the building, is constructed of wood, the *coup d'œil* is certainly grand. All the posts, with the exception of the outer, or verandah ones, which are exposed to the weather, are richly adorned with fanciful patterns gilt upon a black or red ground; and within, and at the farther side of the *sanctum sanctorum*, which is defined by a rectangular railing, is reared a huge gilt image of the Burman divinity. In the front and on either side of the idol several articles of various descriptions and uses, profusely

profusely covered with talc and gilding, or gold and silver plates, are disposed upon rude platforms, and the *tout ensemble* has, at the moment of entrance, a gaudy appearance, though the next glance discovers that all is mere tawdriness and tinsel.

The ponghies, or priests, recline on their mats, which are spread in various parts of the verandah, apparently intensely interested in the perusal of their sacred books, and seldom raising their eyes towards intruders; but they are not averse to conversation with strangers, as they have been supposed to be. With two or three brother officers, I joined four or five ponghies in a *kioum*, and entered into an animated conversation with them. The watch of one of our party raised so much wonder and delight amongst the priests, that the sacred volumes dropped unheeded on the floor. If you can secure a private interview with a ponghie, he will not only maintain a dialogue with you, but will barter any thing he possesses, the sacred books not excepted, for any other article that strikes his fancy. Money, however, they will not accept of, for to them it is totally useless, as they live wholly upon the contributions of the people. To this system of the laity furnishing every thing gratuitously to the priesthood, is to be ascribed the beauty and solidity of the monastic edifices. The rich contribute the materials; the poorer classes give their labour, and the old and feeble, who are incapable from poverty and infirmity of performing either of these services, bring their humble offering of a little fruit or boiled rice, or perhaps even a simple flower.

There is something peculiarly touching in this endearing respect and affection borne by a whole nation to its pastors, and I had an opportunity of witnessing a strong exemplification of this feeling of attachment in a ceremony which for many reasons I conclude to be an annual one. It was, I think, on the first of July, that in the grey of the morning I turned into the principal street of the fort on my way to the monthly muster: my attention was immediately aroused by finding both sides of the way thickly lined by the population, decked out with all the splendour which their circumstances and national costume afforded. A large proportion consisted of young and tolerably handsome females, having aromatic flowers twisted in their hair, and bearing on their heads large wooden vessels of rice. Others had fruit, flowers, and other trifles; but amidst the assembled multitude I do not recollect to have seen a single individual empty-handed. The priests, of whom there are upwards of three hundred, moved slowly along the middle of the road, and their shaven crowns, yellow robes, and grave demeanours, contrasted with the gaiety on either side, afforded that rich harmony which we perceive in a picture where strong lights and shadows are judiciously blended. Around each of their necks was suspended a lacquered box for the purpose of receiving the eager contributions of the crowd, and I was astonished at the difference between the anxiety displayed by this unenlightened people to force their donations on the ponghies, and the reluctance exhibited by John Bull in paying his tithes to his vicar. Living in such monastic seclusion, the priests are necessarily ignorant of the arts and duplicity of mankind, and are consequently occasionally exposed to deceptions from those who are hacknied in the school of vice. A most impudent fraud was played off upon them by a gunner of the artillery, who pretended to have been converted to the Burman tenets. He accompanied his declaration by every external symptom of sincerity; he was constantly on his knees in the temple, muttering his invocations to the sawmy, or idol, whenever his leisure would permit, and he never forgot to bring an offering of fruits, flowers, or rice. The unsuspecting priests were delighted beyond measure

sure at this conversion ; presents, trifling in themselves, but forming in the aggregate no worthless prize to a common soldier, were heaped on the proselyte, and he was in a fair way of amassing a sum sufficient to supply him with a free flow of grog for months to come, when his trick was discovered, and he reaped the full reward of it at the gun-wheel.

The astonishment and mortification experienced by the ponghies at this event naturally inspired them with distrustful timidity towards other soldiers. On one evening, discovering three sipahees sitting beneath one of the kioums, the priests imagined their object was to plunder the temple, upon which a large body of the ponghies came out and secured two of them ; the third escaped, and re-appearing with about forty of his comrades, rescued the prisoners.

Whilst at Tavoy I had an opportunity of witnessing the cremation of a *rhahaan*, or principal priest. Amongst the vast number of ponghies at Tavoy there are but three rhahaans, and these are men bowing down beneath the load of years. One of these died at the close of 1826, and his body being embalmed, preparations were immediately commenced for burning the corpse with suitable splendour. A car, the body of which resembled the magnificent funeral car of Lord Nelson, was destined to convey the body to the spot of inustion. The panels were adorned with variegated paper and gilding, with grotesque representations of men and animals. Above the canopy were placed elegant open-work paper pagodas, sustained in their positions by strings. Beneath the canopy, upon a sort of platform, rested the coffin containing the remains of the rhahaan. On the coffin lid was fastened, in a reclining and praying posture, like the effigies of our old English barons, a waxen cast from the body of the deceased, profusely gilt. Another lofty and gorgeous car, resembling in its form a kioum, was destined to receive the body previous to cremation. There were three other smaller cars as richly adorned as the former, in one of which were deposited the *chamboos*, or brass pots, and utensils formerly belonging to the rhahaan.

Although the population eagerly contributed both materials and labour for these preparations, it was not till March 1827 that they were completed. It was so far fortunate that the death of the rhahaan occurred at the termination of the wet weather, as all these works, owing to the immense height and size, are obliged to be constructed *sub dio*. The ground selected for this purpose was just within the pettah gate.

At eight o'clock in the morning the procession began to move out, each car being dragged by the populace, who yoked themselves to rattans as thick as a man's arm, fastened to the front of each car. To the back of the car containing the corpse were hooked two rattans of a similar size, and I calculated that upwards of two hundred persons affixed themselves to the rattans, half in front, and half in the rear. It was of course a struggle of strength as to which way the car should move, and it accordingly at one period advanced and at another retrograded. I am ignorant of the reason of this ceremony, but I conjecture that those in front represented angels endeavouring to bear the soul upwards, and the rest shewed their regret for the loss of the deceased by endeavouring to detain him. Any success on either side was announced with overwhelming shouts, but so tedious was the procession that, although the whole distance from the pettah to the ground chosen for the inustion was barely two hundred yards, it was considerably past three o'clock in the afternoon before the contention was decided in favour of those in front.

On the large car being wheeled up into its position, several rockets, some in the shape of a deer, others in that of a sawmy, a horse, &c., were attached to

to ropes of about thirty yards long, on which they ran by means of hollow cylinders. These ropes led from the car to various parts of the ground, and were supported at about ten feet from the earth by means of bamboo props, inclining towards the car. These preliminaries adjusted, the next thing was the removal of the body into the car, and another struggle for the coffin commenced. The remains of the rhaahan in this unseemly contest suffered a most violent jolting, and I could distinctly hear the bones rattling as the coffin was handed from one to another in its progress to the funeral pile. As soon as it was safely deposited in that part of the car to which all the rockets tended, the latter were ignited one after the other, and rushed along the ropes, knocking down the bamboo props in their career, and in the space of a few seconds the slight but splendid fabric, which a vast portion of the population had been employed for four or five months preceding in constructing, became a flaming ruin.

There is a strong affinity between the Burman and Cochin Chinese religions: their priesthood is similar—their dress precisely the same; the god Fo, which the latter worship, is represented in the same attitude as the idol adored by the former; the offering of first-fruits to Fo finds a parallel in the weekly processions of the Burmese with fruits and flowers to their pagodas; and, in short, a variety of circumstances all tend to prove that, however much they may have diverged during the process of years, the two religions were once essentially the same. Again; in the refusal of the Burmese to sell buffaloes for the purpose of slaughter, may be traced a distinguishing characteristic of Hinduism, notwithstanding that Moohammedanism is most prevalent. Roman Catholic proselytes are far from constituting a small portion of the population, and, in fact, Burmah, from its contiguity to China, Siam, and Cochin China, and its easy communication with Hindostan, embraces a variety of religions, and presents a most valuable field for the researches of such as have time and inclination sufficient to enable them to explore the origin of the variety of sects that divide the heathen world in the East. The Roman Catholics have a chapel, built by a native Portuguese, and it is rather singular that that class of Christians, whose mode of worship we condemn, should yet invariably be beforehand with us in providing suitable edifices for the performance of their service.

I will now advert to some of the superstitious ceremonies observed by the Burmese. One of them is the following novel mode in which they seek the recovery of the sick, and which I saw employed in the case of the daughter of the *ci-devant* rajah of Tavoy. Like all nations not yet emerged from barbarism, the Burmese attribute diseases and misfortunes to the immediate agency of the devil, who consequently comes in for an infinitely greater share of obloquy than even *he* is entitled to. Now, the Burmese have, by some means or other, discovered that his Satanic majesty has an infinite disrelish for music, and certainly, without paying his ear any compliment, the hideous *taum-tauming* of the Burmese is amply sufficient to drive away even the devil. Arguing on these principles, no sooner is a person pronounced dangerously ill, than every *taum-taum* and discordant instrument that can be procured is forthwith introduced into the invalid's apartment, and this most horrible melody, accompanied with vociferous shouting, is continued night and day without intermission till the patient either recovers or dies. If the former chance to be the case, it is wholly ascribed to the efficacy of the music; but if the sick person grow worse, the noise is redoubled, and increases in power as dissolution approaches.

No sooner is the stamp of death impressed upon the countenance, than the death-howl, which much resembles the *coronach* in its modulations, is set up by the relatives and hired singers, and the mournful wailing is continued till the removal of the corpse for interment.

Connected with this superstition regarding the devil is another idea, *viz.* that the propitious time for expelling him from within the precincts of the fort is at the setting in of the Burmese new year, which falls in our month of October: the auspicious moment is moreover under the dominion of the queen of heaven, to whom a preponderating influence in this ceremony is attributed. A day or two preceding this festival, a deputation of the ponghies waited upon the British commissioner to request that he would permit the inhabitants to discharge three guns at ten o'clock at night, and lend them British ordnance for the occasion. The boon was granted, and the requisite ammunition supplied: the ponghies, however, shortly afterwards re-appeared, stating that not a man could be found possessed of sufficient courage to load and fire the pieces, and requesting that this part of the ceremony might be performed by the artillery, upon a signal from the ponghies marking the lucky moment. This dread entertained by the Tavoyese of our guns it was sound policy to encourage, and their last petition was acceded to as readily as the first. The ordnance was accordingly fired by our men, and each discharge was succeeded by a tremendous shout from the whole population, who had turned out into the open air, in order by their yells to heighten the effect of the guns on the nerves of the prince of darkness! This done, every one returned quietly to his dwelling, fully satisfied that the devil was banished from the fort for a twelvemonth, and that the small-pox, which had committed dreadful ravages amongst them the preceding year, owing, as they imagined, to their having failed to fire their guns, would not, during the ensuing season, afflict their families.

The British government, anxious to check the devastating progress of this frightful scourge, had, in 1826, introduced vaccination into Tavoy. No sooner were the blessings to be derived from this valuable discovery explained to the people, than mothers with their children eagerly flocked to the dispensary whence they reasonably expected such incalculable benefits to flow. Sorry am I to add the sequel; but the business was in some way or other mismanaged, and, from the effects of the vaccination between three and four hundred children expired within the period of a quarter of a year. It was lamentable to hear the plaintive cries issuing from so many dwellings; it might truly be said, "in Rama was there a voice heard, lamentation, and weeping, and great mourning, Rachel weeping for her children, and would not be comforted, because they are not."

Such a panic seized the Burmese on this occasion, that when at a later period there was every prospect of the successful introduction of vaccination, not above a dozen could by any means be prevailed upon to bring their children. Some of the natives even shrewdly suspected that it was a stroke of policy on the part of the British, in order to restrain the population within convenient limits.

I shall now devote a short space to the sports and habits peculiar to the laity, concluding these sketches with a brief recital of some whimsical traits developed in the characters of the nation at large.

Among those pastimes which we may fairly style indigenous, may be enumerated the canoe regatta, the buffalo fights in the month of October, and the foot-ball, a diversion pursued at all seasons. A slight sketch of the localities is

requisite in order to describe the regatta. From the wharf to the terminating point of the first reach lower down the river, the distance is about three miles. On reaching this point, the contending boats starting from the wharf are to wheel round and renew the struggle towards the starting place. Moored exactly opposite the wharf lies a canoe, bearing within easy reach the much envied garland of flowers, which, in order to entitle the possessor to victory, must be carried off by a man placed for that purpose at the very extremity of the stern of each boat. This method of deciding a contest of this nature affords a striking resemblance to the garlands in use amongst the ancient Romans for a similar purpose, traces of which are still extant amongst the Italians, and exhibited in their practice of declaring that horse to be the victor in the race which, by snapping the ribbon stretched across the goal, leaves the impress of the colour on his chest. The extreme velocity with which the Burmese paddle these canoes renders the regatta a very lively scene, especially as from their amazing lightness, which enables them to float nearly on the surface of the water, an opposing tide can hardly be deemed an obstacle to their rapidity.

(To be concluded next month.)

### THE TITLE OF "GOORKHAN."

MR. KLAPROTH has inserted in the *Journal Asiatique* for October, a learned inquiry into the origin of the title "*Goorkan*," or "*Goor-khan*," borne by Timoor, and affected by that conqueror, even in preference to the epithet of *Sahib-keran*, or "Lord of Fate," which his flatterers gave him upon the occasion of his conquest of Balkh, and subjugation of Meer Hossein, when he was proclaimed emperor in the year 1369. The title or epithet of "*Goorkhan*" Mr. Klaproth traces up, in the first instance, to the Chinese monarchs of the family of Genghiz. It was, he says, derived from Central Asia, and it designated those independent princes who reigned there, and who were allied by marriage with the emperors of China. Thus Aboolghazi says: "Timoor, being allied by marriage with the family of Genghiz, was thenceforward called *Timoor Goorkhan*; for all those who are allied to that family bear that title." This denomination became hereditary, Mr. Klaproth adds, in the family of the princes of Kara-kathay, who reigned at Kashgar, which city was built by them in 1127, and then named *Khoozworda*, "the strong dwelling." The founder of this dynasty was Nooshi-tayfoo, a grandee of the empire of the Leaos or Khitans, descended in the eighth generation from Tai-tsoo, the first emperor of the Khitans, and allied to their imperial family; whence he had a right to assume the title of *Goor-khan*. Mr. Klaproth authenticates this assertion by an extract from the original Mandshoo history of the dynasty of the Leaos referred to, wherein it is stated that Nooshi-tayfoo received this title from his grandees, on the 5th day of the second moon, in the year of the green dragon (A.D. 1124), besides the honorific epithet of *T'een-yew-hwang-te*. "*Goor-khan*," adds the history, "in the language of the people who inhabit the country north of the Sandy Desert, is the honorary title of the emperor; *T'een-yew* signifies 'protected by heaven.'"

Mr. Klaproth takes the opportunity of pointing out an error, committed by Mr. Von Hammer in his *History of the Ottoman Empire*, where, speaking of Timoor, he says \* that the epithet *Goorgan* signifies "Wolf;" and he thence antithetically makes the "Great Wolf" (Timoor) overcome the "lightning" (Bajazet); remarking, moreover, that the epithet "lion," employed in Petis de la Croix's translation of Sherif-eddin's life of Timoor, should be rendered "wolf," whereas the word in question does not occur in the text of Sherif-eddin.

## OPHIR AND AVA.

*To the Editor of the Asiatic Journal.*

SIR : As the writer of the article in your November number, on Mr. Ranking's hypothesis respecting the identity of Ophir and Ava, I trust you will indulge me in a few remarks upon that gentleman's strictures, which appeared in your last number. As Mr. Ranking is studious to keep your pages free from errors and misstatements, he will, doubtless, think it reasonable and proper that his own errors and misstatements should be pointed out, especially when discovered in an attempt to fasten such faults upon another.

Mr. Ranking begins by stating that "Dr. Doig's word *Afer* is the true spelling (of Ophir); the Hebrew *phe* (פ) being pronounced like the Greek φ;" for the authority of which assertion he refers us to Rees' *Cyclopædia*, art. "Hebrew Language." This is calculated to lead persons ignorant of Hebrew into the belief that the letter in question is invariably so sounded; whereas the authority to which Mr. Ranking refers distinctly mentions that the letter is sounded both as *p* and *ph*. Mr. Ranking is either ignorant, or should have stated, that the pronunciation of the letter *pe* is now ascertained by the absence or presence of the *dagesh*, or point in the centre, without which it is aspirated. This is also the case with the *t* and the *c*, which are aspirated in the absence of the *dagesh*, and become then *th* and *ch*. According to rules of modern invention, the word is thus pointed אֶפְרַיִם or אֶפְרַיִם, and is consequently pronounced *aupheer* or *auphr*. The pronunciation of the word in Solomon's time it is useless to inquire. The hypothesis under consideration thus depends mainly upon the sound of one letter, which is mutable.

"With regard to the name of Ava," he says, "the kingdom was so called at our earliest knowledge of it: Vertomannus was there in 1503, and names it Ava." Does this circumstance render it probable that such was its name twenty-five centuries earlier? The Portuguese, in the middle of the sixteenth century, says Col. Symes, found the countries between the south-eastern provinces of British India, Yunan in China, and the eastern sea, divided amongst four nations, their territories extending from Cassay and Assam, on the north-west, to the south-east as far as Junkseylon. These nations were known to Europeans by the names of Arracan (Yee-kien), Ava (Aungwa), Pegu (Bagoo), and Siam (Shaan): "Ava, the name of the ancient capital of the Birmanians," he adds, "has been usually accepted as the name of the country at large, which is Miamma." By the geographical division of these countries, all the sea-ports must in former times have belonged to Pegu; Ava was not a maritime country. The misnomer of early travellers, who were exceedingly ill-informed, as to names of places especially, which has descended to modern times, is thus made the foundation of a theory! I stated that *Ava* was a corruption (by Europeans) of *Aungwa*, which is as little like *Ophir*, as an ousel is like a whale.

"Triglypton, now Pegu," he proceeds, "was no doubt the capital, and probably the port of Ava, in very ancient times." Triglypton is placed by Ptolemy nearly on the site of the city of Arracan, as shewn in Dalrymple's map, inserted in Symes' *Embassy*, that is, about midway between the Mons Meandrus (evidently the Anoupectoumiow, or Great Western Mountains), and the Sinus Gangeticus, or Bay of Bengal. Yet this is identified with Pegu, three degrees farther south and four or five degrees more to the east! Moreover, Triglypton is removed by the ancient geographer far out of the regions which



which he denominates *Aurea* and *Argentea*, in which it is essential to Mr. Ranking's theory that it should be comprehended. As to its being the port of Ava in very ancient times, it never could have been a port at all, in its existing circumstances at least 100 miles from any navigable river. "The city of Prome," according to Symes, "was the original and natural boundary of the Burman empire, although conquest has extended their dominion several degrees farther to the south."

"I describe the cargoes of Solomon's ships," continues Mr. Ranking, "as consisting of gold, silver, ivory, precious stones, peacocks, apes, spices, ebony, and almug wood; perhaps no other part can be named in any country where these *native* commodities could *all* have been procured, nor in such abundance." On my part, I satisfactorily showed that with the precious metals Ava is comparatively ill provided, and these are the characteristic items of Ophirian merchandize. Ceylon would supply the other articles (except almug wood), as well as the precious metals. With respect to this wood, Mr. Ranking adds: "The critic says, 'of almug wood we know nothing,' although the following extract, in my essay, was at the same moment under his eye;" and then he quotes a passage from Josephus, describing this wood as a species of pine wood. Now, I apprehend that none of your readers, besides Mr. Ranking, could have imagined I meant any thing else than that we know nothing positively about this commodity. I not only was aware of the unsatisfactory report given by Josephus, but I knew that there is scarcely a wood in existence which learned authors, in spite of Josephus, have not identified with almug: deal, box, cedar, cypress, ebony, ash, juniper, larch, olive, oak, and sandal.\* Yet I still say, "of almug wood we *know* nothing." The report of Josephus I have termed unsatisfactory; it is at least extremely vague. As Mr. Ranking does not seem to have taken the passage he quotes directly from the author, and as it is by no means accurately given in his quotation, I subjoin a translation of the passage:

At that period, there were brought to the king from the Golden Land precious stones and pine wood (ξύλον πευκίνον) used in building the temple, as well as in making pillars for the king's palace, musical instruments, lutes and psalteries, with which the Levites accompany their hymns to God. This wood now brought, however, far excelled all that had been obtained in former times, in dimensions as well as beauty. Let no one suppose that that pine wood was like the sort now known, and which receives this denomination from the sellers in order to excite the admiration of the purchasers: that wood is said to have resembled the wood of the fig tree, though whiter and more brilliant: *ἐκείνα γὰρ τὴν μὲν ἰδίαν ἰμφοιῖν τοῖς συκίνοις γίνεται, λευκότερα δὲ ἔστι καὶ στίλβει πλείον.* This it is necessary to say, lest any one be ignorant of the nature of the true pine.—*Antiq. lib. viii. c. 7.*

If this passage proves any thing, it seems rather to prove that almug wood is not what we understand by pine wood; it is rendered in the Vulgate *ligna thyina*, which implies a species of wild cypress wood; yet Mr. Ranking triumphantly appends to his extract from Josephus, a quotation from Rees' *Cyclopædia*, his canon of authority: "abundance of *fir* trees grows in Ava."

As to peacocks: the word תכשי, *tacheosh*, so translated in the Bible, Parkhurst tells us, "seems to be a foreign word." It is rendered "peacocks" in the Septuagint and Vulgate; but others translate it "parrots," and Gesenius says it is by some supposed to mean "pheasants." It is remarkable that Ptolemy has a note under the head of Triglypton, signifying that there were

\* See Purchas, on the Ophirian controversy, *Pilgrims*, vol. i. p. 30.

were said to be procurable in that country "bearded hens, and white crows, and *parrots*."\* Peacocks are far less common in Ava than in Hindostan, where they have been regarded from remote times with veneration, and encouraged to multiply. They are birds sacred to one of the Hindu deities, and are conspicuously referred to in the ancient poems of the Hindus. It is much more probable that these birds should have been brought to King Solomon from India, which, in the very next passage quoted by Mr. Ranking from Josephus, that author identifies with the Golden Land, whence these birds were brought, which he does not call *Ophir*, as Mr. R. pretends, but *Sophira*. The passage is *really* as follows: "the king built in the Egyptian gulf many ships at a place on the Red Sea called Asiongabar, now called Berenice,† not far from the city of Ælana, which was then in the hands of the Jews. By the munificence of Hiram, king of Tyre, the fitting out of the fleet was much facilitated. Hiram sent the king pilots and skilful mariners, whom Solomon despatched under his commanders to the region of India, formerly called *Sophira* (or *Sopheira*) now called the Golden Land, to bring him gold."

The LXX translate the word יִפְתָּח by Σωφίς, Σωφίρα, and Σωφίρα; and *Sophir*, according to Jablonski (i. 337), and Kircher (p. 211), was the Egyptian name for India. Josephus, where he mentions *Ophir* (c. xv.), supports the derivation of *Africa* from that name: λέγεται δὲ ὡς οὗτος ὁ ὠφρη στρατίσσαι ἐπὶ τὴν Αἴθυσιν κατέσχεν αὐτήν. καὶ οἱ ὕμνοι αὐτοῦ καταικχίσαντες ἐν αὐτῇ, τὴν γὰρ ἀπὸ τοῦ ἰκλίου ὀνόματος Ἀφρικαν προσηγόρευσαν. Upon the whole, the testimony of Josephus is but little in favour of Mr. Ranking's theory. The Targum of Jonathan, which is much regarded, describes *Ophir* as "an island containing gold of excellent quality."

Mr. R. then proceeds: "the critic would have his readers believe that *Ava* never was a rich kingdom, though called *Aurea regio* by Ptolemy and Josephus, and with this description, also in my essay, under his eye:" and then he quotes from Purchas an account of the riches of the king of Pegu, as if Pegu and *Ava* were the same. I have already shewn that neither Ptolemy nor Josephus states what Mr. Ranking wishes us to believe they do state. Ptolemy's *Aurea regio* was evidently not *Ava*, and is without the limits of his Pegu, if that be Triglypton; and Josephus expressly declares his *Sophira* to be India, and where he mentions the name of *Ophir* (the name is almost every thing with Mr. Ranking), he identifies it with *Africa*.

In quoting Purchas, Mr. R. takes occasion to say, that he was of opinion that Pegu was *Ophir*. Undoubtedly, Master Purchas has prefaced his valuable collection with a goodly treatise on this subject, wherein much learning is deteriorated by a vast deal of absurdity; but, if I understand his conclusion, he is of opinion that *Ophir* comprehended the whole country from the Ganges to the Menam, that is from Bengal to Siam, including the island of Sumatra.

In the next passage, Mr. Ranking absolutely puzzles me. He remarks: "the writer says, 'the peacocks, &c. were brought from Tarshish, to which place, and not to *Ophir*, the fleets were bound from the *Red Sea*; and that writers suppose Tarshish to be situated in Spain. The voyage occupied three years.' This geographical critic, like the blind guides in St. Matthew, swallows all *Africa* rather than not strain at *Ava*," Does Mr. Ranking mean to doubt that the fleets of Solomon sailed from the *Red Sea*? The existence of such a doubt is incredible: Elath and Eziongeber were situated on the eastern side of that gulf, and the fleets must have passed the straits of Babelmandel. Does he

\* *Geogr. lib. vii.*

† This is a mistake of Josephus; Berenice was on the opposite coast of the *Red Sea*.

he dispute the assertion that Tarshish is supposed to have been in Spain, and that the fleets are represented to have sailed round Africa? This seems equally improbable, for the very dissertation in Purchas to which he referred us just now, contains an expression of that writer's belief that Tarshish was Tartessus, in Spain. But, in order to place the matter beyond doubt, I shall quote the opinion of Mr. Ranking's oracle, Dr. Doig, through the medium of another of Mr. Ranking's favourite authorities, Rees' *Cyclopædia*, art. "Ophir."

In order to ascertain the site of Ophir, Dr. Doig deems it necessary previously to fix the situation of Tarshish. This place, according to him, was situated in Spain, in that part of it in which Huet places it, *viz.* in Spanish Bœtica, near the mouth of the Guadalquivir. It appears from Isaiah and Ezekiel that the merchants of Tarshish traded in the markets of Tyre with silver, iron, lead, and tin; and Jeremiah expressly says, "silver spread into plates is brought from Tarshish." That part of Spain which lies on the river Guadalquivir was famous among the ancients for its mines of silver. Besides, the river Bœtis, which divides Bœtica, is called *Tartessus* by Aristotle, Strabo, and several other authors; and in this neighbourhood were a lake and city of the same name. Dr. Doig next proceeds to prove that Tartessus and Tarshish are the very same: the Phœnicians, changing the *schin* into *thau*, made the latter word *Turtish*.

Oh! but the "swallowing all Africa," Mr. Ranking will say; who has ever supposed that the fleet of Solomon sailed round the coast of Africa? I answer, Mr. Ranking's own author, Dr. Doig; and I again quote him through the unexceptionable medium of Rees' *Cyclopædia*:

Both Dr. Doig and the writer in the *Gentleman's Magazine* endeavour to support their opinion, that the fleet of Solomon circumnavigated Africa, by the account which Herodotus gives of the voyage round the Cape of Good Hope, which was performed during the reign of Necho, king of Egypt. According to this historian, the fleet sent by that monarch was navigated by Phœnician mariners; it sailed from a port in the Red Sea; it returned by the straits of Gibraltar, and it was exactly three years on its voyage. The truth of this narration by Herodotus has been questioned, but in our opinion without any solid reason: indeed the circumstance, which he mentions with astonishment and some degree of incredulity, as having occurred during the voyage, *viz.* that in one part of the course, the shadows fell on the right hand, is so unlikely to have been an invention of the mariners, so dissimilar to all the marvellous stories related of distant countries in those times, and yet so entirely true, that it alone proves that Africa had been circumnavigated, or at least that the voyage had been prosecuted beyond the line.

This passage, moreover, contains an answer to the possible objection of Mr. R. to the duration of the voyage, which is stated in the Bible to have been three years: a further evidence in favour of Dr. Doig.

Not the least obscure part of Mr. Ranking's paragraph is the joke at the end. Not willing to trust my recollection, I carefully examined St. Matthew's Gospel; but found no mention there of blind guides swallowing, or attempting to swallow, all, or any part of Africa, or any thing else. There is a reference in it to "blind leaders of the blind" falling together into the same ditch: a text which, I suspect some of your readers, at least, will fancy applies to Mr. Ranking rather than to me. I profess to *lead* no one.

I have now noticed every point in this gentleman's letter which bears upon the question, for I cannot perceive that the analogy between the Burmese and the Egyptians, the conquest of Ava and eastern Bengal by the Chinese, the invasion of Siberia from Ava in the thirteenth century, the finding of some skeletons of the mastodon in Ava, and the introduction of the Boodh religion from Arracan into India, have any relation whatever with it.

I am, Sir, &c. A. B.

## C A N T O N.

OF the lions of Canton none are more worthy of a visit than the *Joss-houses*. The word *joss* is a corruption of the Portuguese *Deos*, so that a Joss-house merely signifies a temple; but the deity himself, whose proper designation is *Fo*, has, in process of time, become familiar to Europeans by the Christian name of *Joss*. The Joss-houses here alluded to are situated on the opposite side of the river to that on which Canton is built. I learned from a gentleman who accompanied Lord Amherst's suite to Peking, that they are as large and as handsome as any that fell under the observation of the embassy, either during their journey to or their residence at the capital. The entrance into the consecrated precincts is through a large covered gateway, in the interior of which your admiration is demanded by four gigantic figures, two being seated in a recess on each side of the passage: all four were very splendidly attired, and had huge boots on their legs, which might have excited the envy of a French postillion.

The first of these celestial personages had a very ferocious countenance, and was represented in the act of drawing a sword from its sheath, the God of War, doubtless. The second was playing on a four-stringed guitar, the Apollo of the party. The third had his right hand elevated above his head, holding a gilt ball between his forefinger and thumb, while in his left hand he grasped a snake; round his waist, and hanging down in front, he wore a large green coil, formed of what appeared to be intended for the *cactus*. This, therefore, must have been the Chinese Esculapius, the golden ball, no doubt, intimating the virtues of a bolus; a snake is well known to be in most countries the emblem of the faculty as well as of Satan, and the medical properties of the cactus are also well known. The fourth janitor held a large umbrella in his left hand, and in his right an animal which may have been either a rat, a rabbit, or a Guinea pig; this, I was informed, was the deity who presides over commerce. The height of each of these sublime janitors was about twenty feet. They graciously permitted us to pass on unchallenged to a second gateway, where there were two figures, of similar dimensions and in similar postures, one holding an indented mace, or bludgeon, the other a circle; the one being possibly a Hercules, and the other an Archimedes. Passing through these gateways we entered a kind of quadrangle, on the right and left sides of which was a small temple, containing a single image of Boodh or Fo; the one was represented in the act of praying; the other, if I remember right, armed cap-a-pie for battle. In the front, forming as it were the third side of the quadrangle, was a very large and handsome Joss House; the roof, which was of the peculiar curved shape observable in drawings and China-ware, was embellished with dragons, snakes, wild cats, and various non-descript monsters. We were not permitted to enter this building, but could perceive through the gates (of which there was one on each of the four sides of the temple), that it contained a monument of white marble, on each side of which was carved the figure of a female, in the Hindoo dress, seated on a lion. Sir W. Jones states that the *Isa*, or Great Mother, *i.e.* Nature, is frequently thus represented. Walking round to the other side of the temple, a second of similar shape and dimensions appeared before us. Into this we were permitted to enter, and found ourselves in a large hall, with a hundred fantastically-shaped lamps suspended from the roof, with a number of gongs, bells, and other curious instruments of music, or worship, placed in different parts of the room.

room. In the centre stood an immense statue of Fo, in an erect posture. Like Siva, he was blessed with three eyes, one being situated in the centre of the space which usually separates the two eyes of mortals; from the back part of his head, several little heads appeared growing out, and on the summit of all he wore a lofty gilded tiara, highly ornamented; from his shoulders were suspended long blue corded epaulets, much in the style of a general officer, and the rest of his dress was of a corresponding magnificence: all this was minutely carved, either out of marble or of some composition which resembled it. This august divinity stood behind a long and well polished oak table, like a tradesman behind the counter, on which were placed a number of carved, pewter and copper tripods, quatepods, &c., from which incense\* was perpetually ascending to regale the divine nostrils; offerings of all the fruits and flowers of the season were spread out before him, and a bowl of holy water (shan shace) stood ready for his potation or ablution. An antique lamp suspended over the table, shed its holy, faint, but never dying radiance on the celestial countenance; a small cabinet, on the table aforesaid, contained a brazen image of a deity with a number of arms, most of which were holding warlike instruments. In two were round planes, which might be either mirrors or cymbals; two other arms held the figure of a child above the head of the image; indeed the child appeared to be coming out of the head. In explanation of this variety of the godhead, the priests, or lamas, informed us that Fo, like another Proteus, had the power and frequently the disposition to assume different forms, and present himself in different characters to the admiration of his votaries, and that this was one of the many metamorphoses he had condescended to effect of his divine substance for the edification of the faithful. Standing on the top of the little cabinet was a very small figure of a man, dressed, or rather undressed, like the natives of India, with no covering except a rag round his loins; this we were told was another incarnation of Fo. All these divinities, however, appeared to belong rather to the brahminical, than to the Boodhist faith: a fact which is not irreconcilable with probability, for it said that, in the first century of the Christian era, an emperor having dreamed of a saying of Confucius, that the holy one was to be found in the west, sent ambassadors to India, who brought back with them the image of Fo, accompanied by a number of bonzees, or priests. If there is any truth in this story, or rather in the fact, that the Boodhist religion was introduced into China from India, of which the dress of the images may be considered as furnishing some proof, it is not improbable that the priests should have brought with them images of Siva, Vishnu, and other brahminical deities in addition to the idol of Boodh, since they are now found in the Boodhist temples of Ceylon and of India. According, however, to the present notion of the lamas, it would appear that the original names have been forgotten, and that they consider the different images observed in their temples only as different forms of the same deity. The great image, or statue, which I have above endeavoured to describe, has, it will be remarked, many traits in common with the representations of Siva in India. The deity in the cabinet, possessing so many arms and grasping warlike instruments, is not very dissimilar to the goddess Doorga, who, like a loving and dutiful wife, probably accom-

\* These vessels were filled with sand, in which were stuck several small lighted sticks, called "Joss sticks." They are kept burning night and day: at sunset a bunch of their Joss sticks is lighted at the door of every house in Canton, to protect the inmates from the visits of evil spirits. The smoke arising from these united burnt offerings is so great as to form a dense cloud, which hovers over the city like the more smutty exhalations of the London chimnies.

accompanied her husband Siva on his journey to China. Passing to the other side of the temple, another quadrangle presented itself, two sides of which were formed by the cloisters of the holy monks, and the side opposite to us, as in the preceding squares, by a rather large Joss-house. A marble bridge was thrown over a tank, whose surface was covered with lotuses, a plant sacred to Boodh, and much celebrated in the poetry, as well as in the superstitions of the east. We crossed the bridge and entered the temple: this building, unlike the others, was of two stories, and adapted for the accommodation of the priests as well as the divinity. It was here that Lord Amherst resided during his stay at Canton, and a number of the minor gods were turned out to accommodate this distinguished mortal. In a room on the ground-floor was the image of a woman, in the Hindoo dress, with a tiara on her head, sitting cross-legged, with her hands placed together and raised, as if in supplication to the throne of grace; she is designated by the lamas the "Holy Mother," and is said to be generally represented with a child by her side, like the Catholic paintings of the "Mother of God," or Isis sitting with Orus in her lap, as seen by Belzoni in the Temple of Dendera. In a hall in the second story there are three stupendous images of Fo, dressed in the oriental, or rather Indian manner. They had black Caffre hair, and monstrous ears, and with features decidedly Ethiopian, like the smaller images of Boodh at Gayah. Each of these figures was seated upon a couched lion of proportionate dimensions, which were by no means ill-executed in marble. On each side of the hall was a row of figures, all as large as life, which the priest gave us to understand were heroes and demi-gods, mortals who had been deified by a grateful posterity for their eminent superiority in arts, or arms, for the wisdom with which they had ruled or instructed mankind, for the precepts they had taught, or the virtues they had practised: each, apparently, held in his hand a symbol of that merit which had procured him immortality. From the mouths of several issued what was probably intended for their breath, and at the extremity of this solid vapour was a small house, a town, a tree, and various other things, which, doubtless, owed their invention, their existence, or the discovery of their utility to the breath, the word, the command, of these illustrious personages. The dresses and countenances of the greater part were decidedly Indian, and they had all enormous ears, in which many wore rings. The physiognomy of one or two was rather of a Grecian character, and it is remarkable that the dress of these was in a more western style than that of the others.

The gigantic janitors, who had astonished us at the gateways, we here found reduced to their human dimensions, occupying a seat in the house of their peers. An accurate drawing of these figures, in the absence of any written accessible and intelligible account, would perhaps furnish a clue for those who make mythology their study to discover the origin and history of these singular effigies.

I do not remember having seen any other variety of the godhead in these Joss-houses, but in the one to the north of the suburbs of Canton I saw an immense gilt or brazen image of a prodigiously fat laughing Joss in a recumbent posture; he looked like the jolly god of wine and wit, and may perhaps be the Chinese Bacchus. I was informed that it was a representation of Fo in a state of beatitude, and his appearance certainly corroborated the assertion.

There appeared to be a very large establishment of priests attached to the Joss-houses that I have above attempted to describe; they are supported by

the contributions of the devout laity, who, however, would seem to be few in the land, for, unlike the priesthood of other countries, these lamas were very thin, haggard, wretched looking beings, as if they really practised from choice or necessity that abstinence and penance, which is only affected by the priesthood of other religions. The crown of their heads was shaven, they were clothed in a kind of grey camblet domino, like "the friars of orders grey," and round their necks was suspended a string of beads, which they continually fumbled and mumbled over, like a Catholic with his rosary. We were conducted into a large hall, where all the monks of this Chinese priory were gathered together for the important purpose of discussing their dinner, which was laid out upon two or three long tables, much in the same manner as at the colleges in Oxford. They were all standing before their appointed seats, and the ceremony commenced by the chief priest, or da-lama, tinkling a small bell, upon which they all with one accord began chanting a grace—"om mani but me kom"—"om mani padma huom." The meaning of which mystical phrases is disputed by the learned, but which on this occasion probably signified "glory to Fo, &c. &c.," or something to that effect. This chanting continued about five minutes, when the bell again tinkling, the parties fell to at their rations with their chopsticks, as eagerly as pigs at a newly filled trough. Talking of pigs, there is a very respectable piggery attached to the establishment. The Joss pigs, *i. e.* those which are consecrated to Fo, or more probably to the da-lama, or abbot, are of a prodigious size and fatness; indeed, I have no doubt they would win the prize at the Christmas' exhibition in any town in England. The peculiarity of their shape, the concavity of the back, and the convexity of the belly, which almost touches the ground, render them additionally interesting, and, a painter would say, additionally picturesque. The whole establishment, including the Joss-houses, the cloisters, and the pigsties, the kitchen, and kitchen-garden, the farm-yard, and burying-ground, was as complete as can be imagined, and must have covered an immense space of ground. They appear to burn their dead, and our attention was drawn to a mausoleum, in which we were told the ashes of the chief priests were deposited together, so that it may be truly said of them, that

E'en Azrael, with his deadly quiver,  
When flies that shaft, as fly it must,  
Which parts all else, then dooms for ever  
Their hearts to undivided dust.

A Chinese dinner is a curiosity of the first magnitude, and one which it behoves every lover of the ludicrous to witness. One of the Hong merchants, Pon Keequa by name, or, as he is more generally termed, "the 'squire," gave a dinner to a select part of the factory, at which I had the good fortune to be present. His habitation was on the opposite side of the river, and afforded a good specimen of a Chinese gentleman's domicile; it could not be called with any propriety a house, for it consisted of a succession of buildings, straggling yet connected, and interspersed with flower-beds and tanks brimful of lotuses. In our progress through this labyrinth of rooms, passages, verandahs, &c. we passed through some of those circular doorways which are frequently painted on their china-ware. Among the variety of apartments that we traversed, one was fitted up as a chapel, and appropriated to the purpose of family worship. I have some doubts whether a Catholic would have crossed the threshold without crossing himself, not from any fear of the pagan

\* Klaproth translates this cabalistic sentence, each syllable of which is considered a tower of safety against all earthly and spiritual calamities: "Oh, precious lotus!"—*Timkowski*, vol. ii. p. 349.

pagan devils, but from an involuntary notion that he was passing a spot dedicated to the worship of the Virgin and the relics of holy martyrs.

We at length arrived at the banquetting-room, which was a very respectable apartment, the minutiae of which, however, my memory will not undertake to supply. We sat down in number about fifteen. The first thing handed round to us was birds'-nest soup, in small china-ware cups. I thought it a very nice and delicate soup, more resembling vermicelli than any other that I remember; but it is not to be mentioned in the same day with turtle or wild duck. There were about twenty courses, and dishes innumerable; I counted sixty on the table at one time; they consisted chiefly of small basins or cups of the most beautiful china-ware, and were arranged in three rows down the centre of the table. We were given to understand, I know not with what truth, that we had the happiness to partake of stewed pigeons'-eggs, wild cat, fricassied frogs, dried worms (particularly recommended as a *bonne bouche* for wine at dessert), sea-slugs, sharks, and fins, and a variety of other delicacies,\* to which European prejudice might be inclined to apply another term, but which, whatever they may really have been, were rendered extremely palatable by the application of a little Japan soy,† or "essence of cockroach," the finest I ever tasted. All the meat, pheasant, partridge, and venison were minced and served to us in small cups, which, considering that we had no knives and forks, but simply a brace of round smooth and slippery chopsticks, made of ivory, tipped with silver, was extremely embarrassing; indeed, for the first half hour I despaired altogether of conveying a particle of the savoury viands to my impatient palate. Having at last, as if by inspiration, suddenly hit upon the proper method of handling my weapons, I attacked the enemy most vigorously, and at the conclusion of the feast found myself so dexterous that I could pick up the smallest crumb with my ivory digits. All their dishes are remarkably rich; so much so that it is necessary to imbibe a considerable quantity of saec-hing to prevent unpleasant consequences. The said saec-hing is a kind of wine, or rather spirit, of a white colour, and not unpleasant taste; the little cup out of which it is drank, is about the size of one belonging to a doll's tea things; the ceremony of drinking health is to take up the cup with both hands, *chin-chin*, i. e. bow and shake your heads at one another for some time, drink off the wine, and show your friend the bottom of the cup, that he may be satisfied there are no heel-taps. It is the etiquette in the course of the evening to ask your friend to drink wine in return. The "squire" proposed several toasts, in which we joined very heartily: we drank the emperor's health, the King of England, the Company, the factory, the Hong merchants, our worthy host; and last, not least, Messieurs B. and F., two missionaries, who had lately arrived from Otaheite.

A few days after this Chunqua, another of the Hong merchants, gave a grand dinner and sing-song, or play. The place in which it was given was an immense hall, one end of which was occupied by the stage, and the other with the dinner-tables, which were laid out for about a hundred people. The dinner, however, on this occasion was entirely English; the sing-song commenced directly we sat down, and continued till we came away, and probably long after. The play opened with a most cacophonous Babylonian *δυνη κλαγγη* of cymbals, gongs, bells, trumpets, and tomtoms—" harp, lute, sackbut, and dulcimer,"

\* I am not aware that a "bow-wow pie" was of the number, though I may have eaten of it unconsciously.

† Soy is really made of a small species of bean peculiar to Japan; though this may be a bold assertion, considering that the prejudice is so much in favour of cockroaches.



dulcimer, ~~the~~ most villanous caricature of the science of music, but which may have been a new overture by the Chinese Rossini. The performance which ensued was a kind of historical pantomime, in which, apparently, there was the frequent setting up and pulling down of kings. For the first hour it was one continued battle of various success: the warriors were very splendidly apparelled, and their persons in some instances decorated with little flags, projecting from different parts of the body; they were armed with battle-axes, shields, bows, maces, &c., and were not unlike some of the Josses we saw in the temples. These heroes rushed to the combat with a rotatory motion, like our modern rockets, and went whizzing round and round with great velocity, brandishing their weapons in every direction, and yet contriving to pass one another without touching; the musical sounds above described accompanied and excited these evolutions, till all the emperors that were destined to be killed or crowned had successively "fought and fretted their hour upon the stage, when they were seen no more." The next exhibition was a kind of comedy or farce, in which the characters and scenes were more modern and intelligible. There was also an attempt at acting in this; indeed one man appeared to be particularly witty and facetious, judging from the laughter and applause he met with from the Chinese spectators. The female characters were enacted by eunuchs and looked remarkably well; their head-dresses were very becoming, the hair was brought down in a point over the forehead, and ornamented with what was intended to represent gold and jewels; behind the hair was gathered up in a knot *à la grecque*, with a gold pin stuck through it. There was a very pretty scene, meant apparently to represent the interior of a Chinese harem, in which six damsels imitated the motions and evolutions used in winding silk, to the tune of their own voices, which sounded very melodious, perhaps from the contrast it afforded to the rude sounds which had previously invaded our ears.

Between the acts of this farce, tumbling in all its branches was introduced, and very creditably performed; indeed in many of their feats they were quite equal to Astley's troops.

There was one very singular feat; they placed a table in the middle of the stage, and the whole troop, to the number of between twenty and thirty, threw themselves over it head foremost, one after another, as fast as possible, and sometimes three and four plunging over at the same time like a shoal of porpoises. Another was the formation of a human pyramid, the men standing upon one another's shoulders, which, when complete, whirled round and round with wonderful rapidity. I think I have seen the same feat in England; it is rather singular that there should be such an exact resemblance between the modes of tumbling and tom-foolery at London and Canton. They also throw somersets very respectably, but I am not aware that any of them would undertake to leap over eight horses and a jackass, like the clown at Astley's.

The Fatee gardens are one of the sights of the place; they are about twenty minutes' sail up the river from Canton, and as a specimen of their style of gardening are certainly worth a visit. The paths are lined on each side with rows of orange trees and camelia japonica plants, in pots, arranged on wooden stands.

There is also a great variety of dwarf plants: by a process well known to botanists, the Chinese are able to dwarf any kind of tree in such a manner as to make the miniature exactly resemble the original, both in the appearance of age and in the general character. These little trees are sometimes made to grow

grow out of small buffaloes' backs (made of earthen-ware), out of birds' heads, dogs' tails, &c. and the more absurd the more beautiful, according to their notions.

Indeed the monstrous and ludicrous have peculiar charms for the Chinese, whose standard of taste appears to be the reverse of that of other nations; for deformity, instead of symmetry, seems every where to be the object of art and of admiration. Their writing, language, manners, &c., all appear like a caricature of other nations; indeed, they present in their own proper persons a complete burlesque of the human form divine. They are, therefore, not only a laughter-loving, but a laughter-causing race, and, during the two months I was among them, it was to me like witnessing a perpetual comedy. Wherefore, ye disciples of Democritus, who think that true philosophy consists in laughing at, rather than in lamenting our misfortunes and imperfections, I recommend you to come hither and laugh your fill, for here there is ample food for those who have a keen appetite for the ludicrous.

But to return to the Fatee gardens: after you have threaded the avenues of orange trees, &c. above noticed, you find the rest of the garden very neatly laid out. There is generally a large tank in the centre, and little wooden temples, or summer-houses, erected in different parts of the garden.

There are about half-a-dozen of these gardens all laid out in a similar manner, situated close to each other. Returning from these one evening in the factory's gig (not a one-horse chaise, but a six-oared boat), a number of small sampans passed us, each skulled by a single man; with their usual impudence they joined chorus in calling us names, and one with his paddle purposely splashed us all over. We immediately "bouted ship," and pursued him: but owing to the great crowd of boats passing up and down, there was some delay in getting the gig round, and the rascal reached the shore a few minutes before us and ran into the village, where it would have been fruitless to search for him. So we contented ourselves with seizing his boat, making it fast to the stern of the gig, and towing it away in triumph in the face of the people, who, perhaps luckily for us, did not attempt to recapture our prize.

On the side of the river opposite the factory, and about four miles from Canton, there is a small tea plantation, which I accompanied a party to visit: the tea-shrubs were of a dark-green colour, very thick set, of an oval shape, and about the size of a gooseberry-bush; they were planted very regularly in little square patches, and were in full blossom, bearing a white flower, with a great many stamina, resembling the flower of the may, but much larger. In other parts of the country the tea-plant is said to grow to a tree, which I imagine must be another species, as these did not appear capable of such a metamorphosis. The green tea is made of the young leaves of the same plant which produces the black, but is considered "No. 1." in the estimation of the Chinese, and is rarely drank. Indeed, during the whole time I was in China I never once tasted green tea, black being the only kind drank by the Europeans as well as the Chinese. Pouchong is considered No. 1. black tea, gunpowder and hyson the best green. The Chinese are eternally drinking tea; in every shop there are always some small tea-cups on the counter; they put the tea leaves at the bottom of the cup, pour hot water on them, put a cover over, and let it stand till ready; they never add milk, and seldom sugar. Their own fondness for this beverage, united to our immense trade in teas, leads them apparently to believe that it is the staple of an Englishman's fare, for in one of the hoppo's edicts, issued while I was at Canton, that important officer expatiated on the liberality of the celestial empire, in permitting the "foreign devils"

devils" of Englishmen, "who live in a little island in the middle of the ocean, to come to Canton to buy tea for the support of their existence."

Both in going to and returning from the plantation every village we passed turned out its men, women, and children to stare and hoot at us, calling us "faukwi quisy (red-haired devils), canderoo, toonama," and every abusive epithet in their vocabulary.

Not contented with pelting us with hard language, they proceeded to try the effect of hard brickbats, sticks, and stones, to all which, however, we evinced a most stoic apathy, in compliance with the orders of the Honourable Court, which enjoin the principle, that "if thy neighbour smite thee on thy right cheek, turn unto him the left;" or, in other words, "if he break thy scone with a brick bat present him thy neck also, rather than that the trade be stopped." It is rather mortifying to the pride of an Englishman (who, except perhaps the stiff-necked generation we are speaking of, are the most conceited of human beings) that any nation, so far from regarding him with that respect and admiration which he conceives to be his due, as a being of superior order, should, on the contrary, look upon him as they would on an ooran-outang, "as a raree show; in short, as an object so strange and uncouth in appearance, as only to merit the ridicule, perhaps contempt of the spectator. But it is some satisfaction to know, that the English factory are held in higher estimation by the Chinese than any of the other factories; indeed the hoppo (or governor of Canton) expressly declared, in an edict issued while I was in China, that the British typan, or chief, alone understood and acted upon the principles of moral fitness. The decision, firmness, and influence of the English factory is of great advantage to the other factories on various occasions, and the abolition of the factory, at the dissolution of the charter, appears to be a measure of doubtful expediency, whether as it regards the interest of our own or of other countries. It was an opinion rather generally held, that throwing open the trade would have the effect of lowering the quality and raising the price of teas imported to England. Jealous of the encroachments of other nations, the Chinese exercise unremitting vigilance, in order not only to prevent the extension, but also, if possible, to contract the limits of our influence.

To counteract these efforts at restraint and imposition, a firm and respected body, or chiefs, vested with authority over all the English traders, and with powers to stop the trade if occasion should require it, appears to be indispensable: for in the general scramble that would ensue, none possessing any power individually, or any experience of the character of the Chinese, all would be liable to be imposed upon by the hong merchants, who have no check upon their measures, however arbitrary, except the fear of losing the trade.

The tea warehouses of the hong merchants, from which the whole of England is supplied, are, as may be supposed, very extensive, and present a busy scene at the period of despatching the ships. To avoid imposition the teas are examined by the supracargoes in the following manner: two or three hundred chests are laid out for inspection, and the supracargo selects twenty or thirty at random; ascertains the weight of each; then taking the tea out, weighs the chest by itself. The regular tea examiners then proceed to ascertain the quality of the teas by the smell and by the taste, and from habit they acquire the power of pronouncing to a nicety the different degrees of excellence in each. A magnetized steel rod is sometimes inserted into a chest, which, upon being drawn out, appears thickly covered with particles of steel filings, which are mixed up with the tea by the Chinese, either to increase the flavour or the weight, most probably the latter. The nature of the business which

it falls to the lot of the supracargoes to transact is any thing but interesting or agreeable. All the affairs of the factory being managed entirely by the chief and the members of the committee, there remains nothing for the supracargoes and writers to do but to weigh tea and copy letters, duties which in India would be assigned to a common crannie.

However, there is a fine library for those who possess a turn for literature, and a racket-court, billiard-rooms, and row-boats for those who prefer gymnastic pursuits. Their public rooms at Canton are large and handsomely furnished, and their private ones small and snug, embellished with fire-places, bell-ropes, &c. in the English style. A public table, as I have before observed, is kept up by the Company for the factory, and it is one of the best served I have met with in the east; the table is never overloaded as in India, but every thing is particularly neat, clean, and English.

The Chinese too are admirable cooks; their pastry, jellies, and sweets are excellent. The best fruits had not come in; the mandarin oranges, however, had just made their appearance; they are flatter than common oranges, and are of a most beautiful crimson colour, forming a great ornament to a dinner table. They have a very peculiar scented flavour, richer than that of our Indian oranges, or even of "China oranges" themselves; their red jackets sit but loosely on them, and are pulled off with great facility. The pine apples are very small, but tolerably good. The leeches, that we have in Bengal, was introduced from China. They are here dried in the sun or baked, by which process they become something like raisins, and are very pretty playthings with wine after dinner. At Macao there is a great variety of very good fish; pomfret, salmon, rock cod, hilsah, soles, &c. Where there is little business or amusement to occupy the mind, good eating and drinking is thought to be no bad entertainment for the body; accordingly grand dinners were all the fashion. The campaign was opened by the different factories entertaining each other in turn, an example which was followed by the commercial houses, and the commanders of the Company's ships. The weather at this period (the middle of November) was very cold, the north-east monsoon having just set in. The sudden changes in the temperature about this time are very great, and are often injurious to the constitution of strangers. The thermometer has been known to fall twenty degrees in one night. The north-east wind is bleak and cutting, and unless strangers are very careful they are liable to attacks of dysentery. Upon the whole, therefore, however beneficial and agreeable a voyage to China may be, I do not think the climate can recommend it as a place of resort for invalids. In the hot weather Macao is nearly, if not quite, as hot as Calcutta, the sea-breeze being the only point of superiority.

House-rent for a family is also very expensive, and the houses of the English residents are in general too small to afford accommodation to visitors. Their English habits also perhaps make them averse to putting themselves much out of the way to accommodate strangers, whom they probably look upon with the national reserve. But, notwithstanding the indifferent name for hospitality which they have acquired from their Indian visitors, I will throw my grain of thanks and gratitude into the opposite scale, for the uniform kindness and attention which I met with throughout from every member of the factory; and, so far as it fell under my observation, I can testify that, instead of being at all wanting in attention to strangers, their hospitality appeared to me to be only bounded by the number of persons within reach of its influence.\*

## SURVEYS IN INDIA.

*To the Editor of the Asiatic Journal.*

SIR: I have seen a letter in your journal for October last, respecting the surveys of the late Capt. Mountford, wherein your correspondent complains that the *Atlas* of India, now in course of publication, by the direction of the East-India Company, is on a much too insignificant scale, and expresses a hope that those surveys, and indeed the whole *Atlas*, may be engraved on a scale of much greater magnitude. I must beg leave to make a few observations in reply to him; I agree in every thing your correspondent writes in praise of the works of that meritorious officer, and cannot but think that the suggestions have been made without due reflexion. For the writer could not have been aware, that if the *Atlas* had been engraved on a scale of one mile to an inch, it would have required upwards of 2,800 copper-plates, covering a surface of about 21,000 superficial feet; but if it were to be extended to eight times the present scale, as he seems to desire, the number of plates would exceed 11,000, or about 85,000 square feet of copper.

I believe the first idea of engraving an *Atlas* of India on a scale of four miles to an inch, originated with Col. McKenzie, the first surveyor-general of India. He considered that scale amply sufficient for all practical purposes, and recommended it as a measure of economy, in consequence of the continual demands that were made on his office for copies of the maps deposited therein, and which would increase every year, in proportion as surveys became multiplied. I understand the original surveys are drawn on a much larger scale, and can easily be referred to, if circumstances of a political nature should require it.

It appears the principal object of the present trigonometrical survey is to form a complete map of India, on one uniform systematic plan. This is the only method the Company could adopt to produce a really useful and permanent work; and eventually it will be found the most economical. For many years great sums have been annually expended in making partial surveys in India, the far greater part of which have proved of little or no use for want of combination. The surveys which are now in progress will be final; those countries will never require to be re-surveyed, and we may look forward to the time, when the surveying establishments in India and their attendant expenses will cease.

I understand it is the intention of the Company that the public should be furnished with the sheets of the *Atlas* as they are completed; and that nothing will be allowed to go forth to the world but what is from actual survey. This accounts for the many blank spaces now appearing on the sheets, which will be filled up at a future period as the surveys proceed.

I remain, Sir, your obedient servant,

London, December 10.

J.

## ON THE PRACTICE OF SUTTEE.\*

BY A BENGAL CIVILIAN.

There are probably not many advocates for the continuance of a practice, like that of con cremation, alike repugnant to the laws of God and man, and abhorrent to the feelings of human nature; yet there appear to be some who could connive at it, because they suppose it a *voluntary* sacrifice, submitted to from a sense of religion.

I cannot agree with those who assert, that the Indian government is bound, at all hazards, and by violent means, to put an entire stop to this custom, and to disregard the loss even of dominion, and the effusion of human blood, in making the attempt. If this be admitted, by a parity of reason we might go further; the government might be required in like manner to suppress all other religious usages and devotional rites and practices that militate against the spirit of our Christian rulers' creed. As the government has been stigmatized for deriving a revenue from the temple at Juggurnath, so it might now be called upon to suppress idolatry by force; to drive the worshippers of Juggurnath from his temple at the point of the bayonet, to slay all who resist, to raze his temple, to break in pieces the idol, and hurl the fragments into the sea. But, though we have not, like the Israelites, a Divine commission to go forth and exterminate, by fire and sword, idols and idolaters, our nation does appear to be a chosen and efficient instrument, in the hand of Divine Providence, for the diffusion throughout the whole world of the glorious light of Christianity, and for the effecting of heaven's ulterior purpose. Therefore, every Englishman, who entertains this conviction, must be deeply sensible of the vast and solemn obligation imposed upon him to further, by every rational means, the design of Providence.

But the means to be employed are not those which ignorance, fanaticism, and intolerance, heretofore used, which tend to confirm and perpetuate the very errors they are designed to subvert; which often end in total failure, in the destruction of those who employ them, or in the extermination of those against whom they are employed. This system has already been practised in India by the Portuguese,—with what success? No, the method pursued must be consonant to reason and the mild spirit of Christianity. The flood of light must be let in upon the soul through the inlet of the mind. We must seek to effect our end, not by torturing or destroying the grosser material part of man, but by informing his immaterial, nobler part. If I apprehended that nothing short of violence could suppress the practice under discussion, I should deprecate the attempt to effect the object in view, by pursuing a course which would occasion a copious flow of human blood, if it did not terminate in the overthrow of our Indian empire, and thereby put a stop to the reformation in opinions, expansion of intellect, moral improvement, and gradual conversion, which the measures now in progress are certain, though tardily, to produce, and are at this moment imperceptibly accomplishing.

Fortunately, no such extreme measure appears necessary for the final extinction

\* These observations are intended by way of comment on the debate at the East-India House, on the 21st and 28th March 1827 (see vol. xxiii, p. 689), especially with reference to what fell from Mr. Randle Jackson on that occasion. The sentiments expressed in this paper are founded on reflexions suggested by more than twenty-two years' experience in India, occupied in the discharge of judicial and magisterial functions, which brought the writer into constant and immediate contact with the natives; and peculiar circumstances enabled him to profit by those opportunities for studying the native character to their full extent.

tion of the obnoxious rite. I say fortunately, because it seems probable that the advocates of reform will not cease to urge the suppression of it, until they procure an edict commanding it to be attempted, without scruple as to means, or regard for the consequences. I feel confident that, by judicious, temperate, but firm measures, the practice may soon be extinguished, with, at the worst, a mere local short-lived feeling of discontent and faint murmurs. Not a soldier need be called in to strengthen the arm of the law; but only the vigilance, and occasionally the exertions and authority, of the ordinary police will be needed. If it should happen that the military must be employed, their presence alone, without the use of any weapons, would, I trust, be sufficient. As to the danger of employing sipahees on such an occasion, there can be little, if any. Our sipahees, on the score of religious prejudice, or of country, could have no fellow feeling with the malcontents. The Bengalees, whose province would be the seat of action and disturbance, are quite foreign to the bulk of our native army, and are despised and disliked by the finer race of men which compose it, and the bulk of whom are drawn from Awud and other parts of Upper India. The majority of these, in their native provinces, never witnessed, perhaps never even heard of, a suttee, and are likely, therefore, to contemplate it in the same light, and with the same feelings of horror and detestation, as their European and Mosulman comrades.

However extensive and profound the knowledge of Judge Blackstone may have been in the laws of nature and of nations, it does not seem rational to expect that the code of England should be adopted by the world at large, or that it could judiciously or equitably be forced upon our Indian subjects. If no express compact has ever been entered into between us and them, whereby we bound ourselves to govern them according to their own laws and religions, yet sound policy requires that we should do so. Some regulations of government express this, most of them imply it, and the people understand it. They are a people too whose language, religion, laws, temper, habits, customs, prejudices, and modes of thinking are entirely dissimilar from our own. The Indian government in legislating, and its servants in recommending changes, naturally, often insensibly, lean to the institutions of their own country, and suppose that they act wisely in assimilating the laws and practice in India to those of their native land; but in so doing they have frequently erred. Some of the ills now most complained of by the natives and by European settlers in the interior have grown out of this injudicious partiality. The state of society and the character of the people are unsuited to the refinements, the subtleties, or the peculiarities of English law, either of the civil or criminal code; hence the danger and inexpediency of the British Parliament's legislating for our Indian possessions. If such gross errors are occasionally fallen into in enacting laws for our own country, what may we not apprehend from its attempts to frame them for a country so distant and so foreign! The voice of complaint or remonstrance would scarcely be heard or attended to at that distance; but all enactments, however grievous or odious, must either be patiently submitted to, or, if too intolerable to be borne by even Indian submissiveness and forbearance, procure their own repeal by exciting rebellion.

If the Indian government be indeed reprehensible for not acting on the principles of English law in the territories subject to its rule, and prohibiting suttees and punishing parties to them for wilful murder, is not his Majesty's Supreme Court of Judicature at Calcutta equally, or even more culpable, for not proceeding against persons subject to its jurisdiction, for such heinous violations of those laws which it is constituted to administer? If, as seems to be

be the case, the government apprehended from the direct and positive prohibition of the rite, any serious ill consequences, even those fatal results, which some avow should be risked in making the attempt, I am not of the number of its condemners.

When legislating for the country, the local government is cautious of encroaching upon, or violating the religious opinions and prejudices of the natives; hence, in all matters that bear in any degree upon these, I believe it usually calls for the opinion of the Nizamut and Dewanee Adawlut, the highest native court of civil and criminal judicature under the presidency of Calcutta, and that its resolves are influenced or determined by that court's suggestions and opinions. Considering the character of this court collectively, that it is supposed to be composed of some the oldest, ablest, and most experienced servants, who are presumed to be intimately acquainted with Indian law, and the national character and feelings, which the majority of the council can scarcely be, this practice is equally prudent and rational; it is analagous to the procedure which obtains in the Parliament of Great Britain on particular occasions, in consulting the judges of the land. Such appears to have been the course pursued by the government on the present occasion: reluctant to take a decided step, in what appeared to be a matter of such moment, and so exclusively of a religious and legal nature, yet desirous to extinguish a rite so abominable, and urged on by authority and by public opinion to attempt it, it had recourse to the Nizamut Adawlut for advice. The court's first step was to ascertain the authority for this rite, to whom and under what circumstances it was permitted, and to whom denied. It has, in doing this, drawn the veil of ignorance from before the eyes of both Europeans and natives, and has shewn us that atrocious murders are daily perpetrated under the cloak of religion. It then issued certain instructions to magistrates throughout the country, bearing strong marks of indecision and timid caution, but apparently failed to suggest any strong decided measure, such as the information disclosed warranted. We are, therefore, no further advanced towards the desired point than before: on the contrary, it is questionable if the custom is not now more prevalent than it was before the matter was agitated, though it is impossible to ascertain this. I apprehend that if there be any increase, it may be attributed, in some degree, to this very agitation of the matter, the timid course pursued, and the discussions concerning it among the natives themselves, originating in and facilitated by the diffusion among them of newspapers in the English and oriental languages.

Had it occurred to the government, that the opinions of the Nizamut Adawlut might be biassed by feelings and notions, growing out of a long and intimate intercourse with the natives of the country, which have a natural tendency to generate an indulgent leaning towards them, and a disposition to tolerate their faults and errors, nay, even their very crimes, where they spring out of their religion, it is probable that it would have called for the opinions of many individuals in the service, whose general character, official situations, and experience, gave them opportunities of judging, and on whose discretion it could have relied for sound, temperate, correct, and impartial opinions. Had this been done, it is not unlikely that we should have been further advanced towards the suppression of the rite.

To assert, or suppose, that concremation is a rite voluntarily performed by all or many widows, is to outrage reason and common sense. That it is so in some instances, facts and a knowledge of human nature warrant us in believing. To suppose that the state of beatitude, and the joys which the Shastres hold out



out as the reward of the suttee, influence the minds of women in general, that they do contemplate them, and that with such intensity as to beget a degree of fortitude and enthusiasm superior to, and subductive of, the horrors of death,—a death the most terrific,—and capable of begetting contempt of and indifference to every tie which binds us to life, were to indulge the fancies of a visionary. Some, indeed, who have passed a long life in uninterrupted harmony with an ardently-loved partner, till now perhaps their only stay and comfort; who have no kindred, no friends left; who see old age, sickness, infirmity, desolation, and solitude before them; who have in short no tie remaining which binds them to earth, but see every bliss in heaven, may have died voluntarily such a death: some such there ever will be found. But that infancy is susceptible of, or can be actuated by, such impulses and sentiments, obviously cannot be. Neither can we suppose that youth and loveliness, when the fetter that bound it to age, decrepitude, disease, deformity, impotence, and imbecility—to a morose, selfish, tyrannic, brutal temper—is broken, can by any supernatural process, or by the workings of an enthusiastic fancy, subdue the predominating passions of disgust, hatred, and fear; convert a hated mortal into a bright and lovely celestial; suddenly banish all the glowing visions, and repress the warm and generous affections of youth in the morning of life, and conjure up in their room brighter visionary scenes of lasting unalloyed joys in another state, shared and enhanced by the society of a being loathful in life, still more loathful in death; this surely cannot be!

Let us take a sober view of the matter, and ascribe the prevalence of this rite to the real causes. They are—first, mercenary and avaricious motives in relatives and connexions, but I think not to the degree that is generally supposed; secondly, the dread of shame,—the apprehension that a widow, but now an infant, or in the vigour of youth, with the passions and appetites strong and the judgment weak, or even more matured in years, may bring infamy and disgrace upon a family by unchastity. This I take to be the most fertile cause; and when the constitutional warmth and voluptuousness of Indian women are considered, and that these are heightened by education and habit, nay, even by their religious rites and ceremonies, we shall see how much reason there is to apprehend a lapse from virtue. Again; when we know what the consequences are of such a lapse from chastity among them, we shall better understand the desire of a woman's connexions to preclude the possibility of becoming subject to them, by resorting to an extreme measure of prevention. Thirdly, cupidity in the priesthood, conjoined with the *éclat* attendant on such ceremonies; fourthly, ardent attachment to a deceased husband; fifthly, extraordinary piety; sixthly, a sort of superstitious delusion. Some women of warm imaginations delude themselves into the belief, that in a prior state of existence they have already once or oftener performed this rite, and that when they shall have repeated it seven times, they then will be admitted into a state of perfect everlasting beatitude; seventhly, pride and vain glory, which induce some women of aspiring resolute tempers and extraordinary fortitude to submit to this ordeal, because it has been hereditarily observed in their families, or they are resolved, for the *éclat* of the thing, to establish a precedent in their own persons. It is obvious, that all suttees proceeding from the three first-assigned causes must be constrained and violent; the common mode of conducting the ceremony shews that they are so; that they are horrible deliberate murders.

Now we hesitate between two measures: the immediate positive prohibition of the rite, or the permitting of it under such restrictions and precautions as will

will insure its been practised with the sanction of, and in strict conformity to, their religion.

With regard to the first measure, the fitness of it appears very dubious, because the application of force *may be found* necessary, to restrain the people from a religious rite which they consider either highly meritorious or obligatory upon them. The opposing of even religious errors by violence is at all times to be deprecated, more especially when they affect only the individuals deluded by them, and do not disturb the general peace and happiness of the community to which they belong. However, as there are some men of a contrary opinion, who would suppress this practice by any means and at all hazards, and these seem zealous and persevering in their endeavours, and are the most likely to make an impression on the public *feelings* (I will not say *mind*), and bias, by and bye, the deliberations of the Legislature on the India question, let us see how this may be attempted.

If the Indian Government came to this decision, it might pass a law prohibiting the rite from and after a date to be fixed. To render this effectual a penalty must be annexed, which might declare persons taking an active part in a suttee, performed in the face of the law, liable to be tried for murder; or the heirs of the deceased to legal disabilities, or to forfeiture of goods, or the real property and chattels of the suttee to escheat to the government. A preamble might set forth and fully expose the Hindoo law on this subject; set forth, lament, and condemn the past violations and abuses of it; shew that the rite is barely permitted—not enjoined; that it is far better omitted than observed, because higher rewards are promised in the former than in the latter case; lastly, it might close with ascribing to the humane and fatherly solicitude of the government for a deluded and erring class of its subjects, the origin of the new regulation. For obvious reasons, the law should be made to take effect as soon as possible after passing it. Its introduction should be preceded by the precaution, wherever necessary, of relieving magistrates of particular districts with others whose known character and qualifications afford the government an assurance that in case any discontent or commotion arise out of the measure, it will be allayed without resorting to force. I lay much stress on this precaution, for I know that there are individuals in the service who can prevail upon the people to do any thing with alacrity; whilst others prevail on them to do nothing unless by coercion, or with sullen reluctance. No where are the effects of individual peculiarities, qualities, and address, more strongly exemplified than in the several branches of the East-India Company's service.

There is another plan, free from all objections which the timid or the tolerant can urge, and yet, if I know any thing of human nature, scarcely less efficient than the foregoing in producing an immediate and material diminution in the number of this sacrifice—ultimately, almost, if not intirely, its extinction. It is, to *permit* the rite, but *only in strict accordance with the spirit and the letter of their law*: not merely to require this conformity by rules-framed with timid caution and never enforced, because of the real or imaginary dread of a revolt, but to enforce it by penal laws firmly and vigorously enforced.

Having taken the precaution of changing magistrates wherever from local causes it may appear necessary, let the government, without making any stir so as to excite the attention or awaken the apprehensions of the people, circulate quietly to magistrates written instructions, accompanied with a clear, comprehensive, concise, compendium of all the texts and authorities relating to this subject, with references to books and authors, in English; in Sungakrit, and

and in the languages and dialects of the several provinces whither it will be circulated: this for the purposes of rendering magistrates themselves fully conversant with the subject, and enabling them to inform and reason with natives wherever desirable. In each district one spot, and only one, should be appointed for the burning; the preference being given to the Suddur station, unless local circumstances and peculiarities render some place within a convenient distance from the Suddur station more agreeable to the people, whose prejudices and customs on this head should be regarded. Indeed its selection might be left to one or more Hindoos of superior sanctity and intelligence, natives of the district. If circumstances allow of it, this spot should be enclosed by a wall, or a ditch and glacis, or by some other kind of fence, that will effectually exclude the multitude assembled to witness the spectacle, and prevent their interrupting it, taking any part in it, or committing any of those acts of brutal violence which have occasionally been witnessed and recorded by our countrymen. The convicts of a district could easily construct such a barrier free of expense. A wall would be the best, by reason of the effect which solicitude and entire exclusion from observation and the gaze of an assembled multitude would have on the minds and feelings of certain descriptions of devoted victims. A highly elevated spacious terrace or mound of earth, with one approach, might answer. But some barrier, I repeat, seems indispensable. Applications for permission to burn herself should be received from the widow only, and in person. A heavy tax, judiciously imposed, as the cost of burning, might in many cases operate as a bar: but I do not recommend this measure. It should be declared criminal to aid in a suttee unauthorized by the proper authorities; and the persons actually assisting at such should be proceeded against as murderers. Permission obtained, it should be imperatively required of magistrates to superintend personally the performance of the ceremony. In cases of unavoidable absence, they should be authorized to depute their assistants, or any other officer, civil or military, fixed at the station. No one but the nearest relatives of the deceased, including him who is to be the chief actor in the tragedy and the officiating brahmin, in no case exceeding a *small* limited number, should be admitted within the area, or permitted to approach the pyre. *The victim herself should not be suffered to ascend the pyre until the torch has been applied and the pyre is in a state of ignition.* Nor should any creature be suffered to aid her ascending it, unless at her intreaty the relative who applies the torch, and upon whom all the ceremonies devolve by their law. If at the critical moment a woman's fortitude and courage forsake her, and she either cannot resolve to mount the pile, or, unable to endure the flames, descend and quit it, she should then be escorted home in a *covered conveyance*, and that individual upon whom her care and maintenance *becomes a duty by the Hindoo law*, should be *required* to receive and cherish her, and furnish her with the prescribed food and raiment. These ought, however, to be of the plainest kind, be the widow's rank and condition in life what they may. In case he fail in this duty, the widow ought to have an immediate remedy by a summary application to a magistrate. This last duty need not, however, be imposed where the widow has sufficient property of her own. On these occasions a magistrate should quietly and passively superintend the proceeding; then only interfering when the rules for conducting the ceremony are infringed, or to prevent violence or constraint towards the devoted in any stage of the proceeding.

Though I feel confident of the successful result of the foregoing plan, I cannot but observe, that there is no use in framing rules, however excellent in them-

themselves, if they are to remain a dead letter. Those framed and circulated by the Nizamut Adawlut, if enforced, had gone far by this time to diminish the number of suttees; but, from some cause they have proved nugatory, if not worse, and they have never been acted upon to the extent, and with the fearless vigilance and vigour, they ought to have been. So long, however, as the practice is permitted, there will ever be found a few ardent, enthusiastic, heroic spirits, who will undergo this ordeal; nor will the practice become utterly extinct until the very memory of it shall have died away. That country affords no monastic retreat, no conventual asylum, whither widows might retire and shun temptation, or fortify virtuous resolves by physical aids and securities. The virtuous and benevolent man, who knows the people and their institutions, whilst he shudders at and condemns a horrid practice, repugnant alike to divine law and the feelings of our common nature, may derive a glimmer of consolation from the confident assurance, that in numerous suttees which have occurred and are occurring, the sufferers have been preserved from the sin of fornication, with all its mischievous effects upon themselves, their families, and society at large. The eye hath been plucked out, the hand hath been cut off, and the whole body hath been rescued from hell.

The government is said to be averse from interfering on several grounds. The objections urged do not appear to possess much weight; they admit, indeed, of refutation in the results of its interference in some parallel cases. However, the foregoing plan has the advantage of keeping the government in the background, by making the superior and inferior courts of justice and the magisterial functionaries the ostensible and prominent directors and actors in the measure. The Court of Directors has been warned to respect public opinion, and give its attention to this subject: at the present time and in the present disposition of the public mind towards the East-India Company, the Court would do well to regard this warning. Already intemperate declamation is used in the public ephemeral prints, by interested or discontented persons, to mislead the public mind, and create in the national breast an unfriendly, nay hostile feeling towards this body. It is very questionable, putting the consideration of particular interests out of the question, how far a change of system, by disfranchising the East-India Company and transferring the government of their territories to the King, will promote the interests of commerce, or the prosperity, happiness, and confidence of our Indian subjects.

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### Review of Books.

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*Religion in India: a Voice directed to Christian Churches for Millions in the East.* By the Revds. S. LAIDLER and J. W. MASSIE, recently from India. London, 1827. 8vo. pp. 344.

THIS volume consists of several tracts submitted to the religious public by two missionaries from Southern India; the principal is "The plan of a College, commenced at Bangalore, under the designation of the Mysore Mission College, intended to be in connexion with the London Missionary Society." This plan, though commenced, "is yet dependent upon an adequate provision which remains to be secured, and upon arrangements which may result from the degree of countenance rendered in this country to the institution." Its object is to train up young natives as ministers of the gospel to their benighted countrymen,

countrymen, without restriction as to sect or denomination, but comprehending, in a true catholic spirit, Christians of all classes. We wish such a plan success.

The other tracts are "Revealed truth estimated by a Christian Hindoo," being a sermon by Samuel Flavel, a native minister; "the Victim of Delusion," designed to show that suttees form a necessary part of the prevailing superstition in Hindostan; "The ordination of Isaac David, a native minister;" "The character and labours of Hindoo Christians," in the vicinity of Bangalore, written with a view of shewing that the past exertions of the Church for that part of India have not been in vain, and also of exhibiting the adaptation of native labourers to the work of the Gospel amongst their countrymen; and three other essays upon religious subjects.

The sermon by Samuel Flavel pleases us by its simplicity. We quote an extract from that part of it wherein he grapples with the absurd creeds of his unconverted brethren:

You may be ready to say, "We have Brumah, Vishnu, and Siva:" Now hear me whilst I explain their character. Brumah, you say, is creator; if he be creator of all things and of the Vedahs, how did he happen to lose one head by Siva? Why did he not create another head? Why did he not know that his enemy was coming to take off his head, when he was able to see from every side? The Vedahs which he made were stolen from him by a giant; how did this happen? If Brumah made the Vedahs, why did he not make others when the first were stolen; or why did he not follow the giant and recover them?

We shall now speak of Vishnu. You say that Vishnu is the preserver: why then did he take upon him the nature of a fish to destroy the giant? Siva is the destroyer; why did he not go? Perhaps you will say, Siva was sick at that time, and Vishnu took his office. If so, had Vishnu to do the office of destroyer, and of nourisher and preserver, at the same time. But when Vishnu took the nature of a fish, and was seeking after the giant who stole the Vedahs from Brumah, how could he hear the prayers and receive the blessings from the people?

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## PARLIAMENTARY PAPERS.

### STAMP TAX IN INDIA.

(Ordered by the House of Commons to be printed, June 1828.)

COPY of the Memorial presented by the Merchants in London trading to India, in February last, to the Hon. Court of Directors of the East-India Company, respecting the Stamp Tax lately imposed in Calcutta.

To the Hon. the Court of Directors of the United East-India Company:

Hon. Sirs: In conformity to the desire expressed by your hon. Chairman and Deputy Chairman, at an interview with which a deputation of merchants trading to the East-Indies was honoured on the 22d ultimo, we proceed to submit for the consideration of your Hon. Court the following observations on the Regulation, No. XII., of the Bengal government, dated 14th December 1826, for raising and levying stamp duties within the town of Calcutta:—

Having at the interview stated the motives by which, acting in behalf of our correspondents at Calcutta, we were influenced in soliciting it, we have to assure your Hon. Court that it will afford us unspeakable gratification if, by the proceeding we now adopt, we should fortunately succeed in producing upon your Hon. Court such an impression of the reasonableness of the considerations we have to urge as may avert the necessity of any more public agitation of matters, which it were so extremely desirable, on many accounts, should not be exposed to the hazard of popular or party controversy. We can say with sincerity, that in making the appeal which we now do, we have nothing so much at heart as the true interests of the Hon. Company, and of that vast empire the government of which is in their hands. There is in truth, no sentiment which we have

have to express which is not inspired by an anxiety for the preservation of the tranquillity and welfare of India, and the maintenance of the good understanding that has hitherto subsisted between the Hon. Company and the inhabitants of that country.

In deprecating the enforcement of the late stamp regulation, and entreating your Hon. Court to reconsider the policy of that measure, we are actuated not more by a sense of what we owe to our constituents, than by a conviction that the concession which it is our object to obtain will, if granted, contribute essentially both to the productiveness of those sources from which the Hon. Company derive their revenue, and to the moral strength and best security of their dominions.

It is not our intention, on the present occasion, to enter at length into the question of the legality of these new imposts. Your Hon. Court are, however, aware that very opposite opinions are entertained, and have been expressed, as to this point by gentlemen of eminence at the bar; and that the inhabitants of Calcutta have in their petition to Parliament, the only mode of appeal left open to them, as well as in the antecedent memorial presented by them to your Bengal government, asserted in very decided terms their sense of the repugnance of the recent regulation to the spirit of those sections of the acts 53d and 54th Geo. III. by which it has been supposed to be authorized.

Upon no principle of fair interpretation can these sections, they contend, be understood to confer upon the Hon. Company any other right of taxation, in reference to the inhabitants of Calcutta, than that of levying certain duties therein particularly specified. This very specification of certain duties seems, indeed, to prove that the Legislature could not have intended by the clauses in question to communicate that right of indefinite taxation which is claimed by the Hon. Company, and upon the existence of which the legality of the obnoxious regulation of the Bengal government depends. Whence, it may be asked, the necessity, or where the purpose, of particularizing, for example, the rate of customs, to which property was, in future, to be subjected, if a power was at the same time conferred of imposing burthens upon the subject, *ad libitum*, of every species and to any amount?

Our constituents feel themselves still further confirmed in these views of the true import of the statutes, which have been thus appealed to, by the line of conduct pursued by the Hon. Company up to the adoption of the measure now so generally complained of. For fourteen years, or about two-thirds of the period over which the act extends, this right of unlimited taxation claimed by the Bengal government has been allowed to lie dormant, and apparently unthought of. Our constituents cannot help considering this seeming unconsciousness of its very existence for so long a space of time, as rendering the notion of it ever having been really conveyed by the Legislature at least exceedingly improbable. For ourselves we have only to add, in reference to this point of the argument, that we apprehend it will be somewhat difficult, should the question ever be subjected to parliamentary discussion, to persuade the public mind in this country to acquiesce in the very extraordinary claim now for the first time advanced by the Hon. Company; for the delegation of a power of unlimited taxation appears to us to be opposed to, and incompatible with, the functions of legislation itself.

Without insisting further upon the abstract question of the law of the case, to which, indeed, we have been induced to call the attention of your Hon. Court, chiefly with a view of submitting what we conceive will be the prevailing feeling upon the subject should it be publicly agitated, we proceed to examine the late regulation, in reference to those grounds of equity and general propriety upon which its advocates appear most anxious to defend it. It is unnecessary to remark that, in going into this line of argument, we do not mean to abandon the position we have already taken; but were even the legality of the measure unquestionable, we should still protest against it on the score of its inexpediency and unfairness.

The reasoning in favour of the regulation contained in the reply of the Bengal government may be divided into two parts. The portion which we shall first notice is that in which it appears to be contended, that the forms observed in framing the enactment have been such as to afford a sufficient security to those affected by it, that no right or

interest of theirs, entitled to attention, can have been overlooked in its construction. "The regulation," it is affirmed, "which the petitioners represent as in their opinion illegal, has been submitted for the sanction of the Court of Directors, and for the approbation of his Majesty's government as represented by the Board of Commissioners in England; and by them it has been passed with the aid of the professional talent, general intelligence, and acute discrimination, which the state of society in England places at their command."

Now admitting in the fullest extent, both the enlightened wisdom of the tribunals here mentioned, and their disposition to give all manner of favourable consideration to the fair claims of the parties who are to be affected by their decisions, we cannot perceive, even in their superintendence and control, that complete safeguard of the popular interests which were desirable in such a case as the present. They are not in fact open to those influences necessary to enable them to act in that capacity with the requisite vigilance and efficiency. The entire privacy with which their proceedings are conducted affords, it ought to be remembered, no opportunity to parties even to call their attention to the circumstances of the case, before their determination in regard to it has been taken, and their decision pronounced. In the present instance, the first intimation received by the inhabitants of Calcutta of the new burthens and vexatious regulations to which they were about to be subjected, was the publication of the enactment by which they were already imposed. The enactment had obtained, undoubtedly, the sanction both of your Hon. Court and of the Board of Commissioners, and had passed, it may be, the ordeal of a long and anxious examination on the part of each tribunal. But whether it was canvassed thus carefully and deliberately, or was received and re-transmitted to its original framers without having been subjected to any such elaborate consideration, it was certainly at all events permitted to attain its final shape before the public in India had had any means of learning that the measure was so much as contemplated. In these circumstances it is obvious enough that its authors were altogether precluded from deriving any assistance in its construction, either from that local knowledge which could have been no where found in so much abundance as among the inhabitants of Calcutta, or from those indications of the general feeling in that settlement with regard to the proposed measure which a previous announcement of it would have elicited.

The principal ground, however, upon which the Bengal government rest their defence of the new regulation is the alleged unfairness of exempting the inhabitants of Calcutta from a participation in the fiscal burthens borne by the provinces. "In the eyes," we are told, "of the Legislature in England, the inhabitants of the interior have equal claims to consideration with those of Calcutta; and it never could have been intended that the whole burthen of supporting government should be borne by the former, while the latter should live as a privileged class, protected from hostile aggression and internal commotion by establishments to the support of which they contributed little or nothing."

The first remark which we have to make to this representation has no reference to the accuracy of the assumptions or insinuations of which it consists. We do not feel ourselves bound to admit that the Hon. Company possess any right of unlimited taxation, even in regard to the inhabitants of the provinces; and upon the same grounds on which we have already expressed our serious doubts as to the legality of the Calcutta stamp act of 1826, we have reason to question that of the provincial stamp act of 1824. Whatever force, therefore, may belong to the reasons adduced for abolishing, as far as possible, all distinctions between the condition of the citizens of Calcutta and that of the inhabitants of the interior, much remains to be proved before it can be granted that such considerations have any bearing upon the points under discussion.

But we are, we confess, not a little surprised at the language employed in the passage we have just quoted, in regard to the actual circumstances of the two communities which it brings into comparison, and their claims upon the Hon. Company. The town of Calcutta, we beg leave to remark, was an English settlement before the incorporation of the Hon. Company, and has at all times been recognized as possessed of  
various

various privileges and immunities, essentially distinguishing it from those districts which have been added by conquest to the dominions of the Hon. Company in comparatively recent times. Not only did it receive a royal charter from Charles II., but English courts of civil and criminal jurisdiction were established within its bounds by Act of Parliament in the reign of George I., the powers of which subsequent interferences of the Legislature have considerably enlarged, and which continue to the present time to mark out the territory over which the authority of those courts extends, as enjoying a pre-eminence over the surrounding country. Even the natives themselves have been accustomed to look upon this settlement as exempted from those exactions to which the conquered provinces, at least up to the last renewal of the Hon. Company's charter, were generally held to be exposed; and from a very remote period this impression has attracted to it many of the most wealthy of the native establishments, whose residence has contributed essentially to the growth of its commercial prosperity, and who can only be induced to withdraw from it the benefit of their capital and industry, by having their confidence shaken in those protecting institutions by which they have till now believed it to be distinguished.

The British-born inhabitants of Calcutta, too, who form an important and influential class of the population, seem to possess a strong claim, from the many disabilities and vexatious restraints to which they are in many respects subjected by the policy of the Hon. Company, to all the indulgence, by way of compensation, which it may be found practicable to afford them. Liable as they are at any time to be forcibly removed from the country at the pleasure of the government, and deprived at the same time of several of the most valued privileges enjoyed by their fellow-countrymen of all classes at home—being neither, for example, permitted to discuss the measures of their rulers in public meetings nor through the medium of the press—they might well seem entitled, on these accounts alone, to a somewhat more indulgent treatment in other respects than the native population, who either do not labour under the same disabilities, or are prevented by their long-formed habits from feeling the severities of the law in the same degree. But when to all these restrictions we add the mention of that crowning disqualification which renders an Englishman incapable of either possessing or farming the smallest portion of the soil in India, and thus marks out the whole British-born inhabitants as strangers and aliens in the land, we have assuredly established a sufficient distinction between their condition and that of the natives to entitle us to refuse our assent to any comparison between the two communities which would assert either their equivalent privileges or their equivalent claims.

The civil condition of the English part of the community in Calcutta is in fact, and always has been, as distinct from that of the population of the interior as their origin itself. Of the two classes, the one has become subject to the government of the Hon. Company under the provisions of acts of the British Legislature, the other has been subdued by force of arms; and, in reference to it, the Company may be said, in some measure, to enjoy the rights of conquest. The one has at all times been recognized as in many important respects under the protection of the British law, the other has uniformly looked for legal rights and privileges to the will of the Company alone.

Our constituents, however, contend that, whatever may be thought of the doctrine of the Bengal government, that there ought to be no distinction between the ancient settlement of the conquerors and the new provinces inhabited by the conquered, nothing can be more unfair than the statement which would represent them as having actually hitherto contributed little or nothing to the expenses of the state. Those of them who are not natives of the country certainly do not pay any thing to the Hon. Company in the shape of rent for land, not being permitted to farm land. The contributions derived from this source, however, although forming so large a portion of the revenue of the Indian government, do not constitute an impost bearing peculiarly upon the cultivators of the soil, but one which is equally operative, in fact, upon all the consumers of its produce. Unless, however, it is meant to be contended that the rent levied upon land is a tax falling only upon the farmer, we confess we do not under-stand



stand upon what grounds it is maintained by the Bengal government, that the whole expenses of the state are borne in India by the inhabitants of the interior, while those of Calcutta live as a privileged class, and contribute little or nothing to the support of those establishments by which they are protected. The stamp duties imposed in 1824 form, we believe, the only species of tax which, previous to the late regulation, was exclusively operative in the province. The produce, we understand, of these duties has never been considerable, and their pressure may be fairly affirmed to have been at least compensated by that of other imposts, bearing peculiarly upon the commerce and inhabitants of Calcutta; such, for example, as the house tax, which the government, after more than one trial, has failed in levying in the provinces—heavy rates of customs, tolls on markets and canals, port charges, &c. As consumers, they pay in the shape of indirect taxation exactly the same rates with the inhabitants of the provinces. But this is not all. Those acquainted with the state of India know well that a great portion of the capital employed even in the cultivation of the soil in that country is furnished, in fact, by those who are not themselves permitted to make investments either in the purchase or farming of land. In the cultivation of indigo alone, it has been asserted, by those most competent to ascertain the fact, that capital advanced by individuals in Calcutta is now employed to the amount of nearly two millions sterling annually. Even the stamp duties, therefore, to which the agricultural part of the population are subjected, becomes in this way a burthen upon the monied interests in Calcutta, the inhabitants of which city are thus in reality taxed through the taxation of the provinces.

Such are the general principles on which it appears to us impolitic and inexpedient to impose, at the present moment, any additional tax on the inhabitants of Calcutta, whether under the plea of assimilating their burthens to those borne by the inhabitants of the provinces, or upon any other ground. We hold that the Hon. Company do not possess any right of arbitrary taxation; and even if they did possess any such right, we maintain that they would not act with a fair and judicious consideration, either of their own interests or of the circumstances of the other parties concerned, in exercising it in the manner proposed.

Our objection, however, to the recent regulation of your Bengal government becomes much stronger when we proceed to consider the nature of the particular tax imposed by it, and the character and habits of the population who are to be affected by its provisions. A stamp tax, extensively affecting money transactions, is perhaps the very last species of impost to which, under a wise system of finance, it would be attempted to subject such a community as that of the inhabitants of Calcutta. From the manner, in the first place, in which accounts are kept, and business in general carried on among the commercial classes in that city, it appears to be exceedingly doubtful if the application of the provisions of the new regulation be even practicable. The incessant and harassing inconvenience likely to result from it, may be fairly compared to that which would be experienced by all classes of men in this metropolis, were the government to attempt to raise a revenue by calling into operation a system of stamp duties upon the dealings of bankers. From the very nature of the climate, it ought to be remembered that at Calcutta almost all payments are necessarily managed by writing, the consequence of which will be, should the exaction of these stamp duties be persevered in, that they must produce a far greater amount of annoyance than any similar tax could occasion in this country, where in many departments of business at least persons are so much in the habit of making and receiving payments without the intervention of written orders or acknowledgments. In India, the commercial man must, under the new law, be reminded by almost every sum of money he has to receive or to pay away of the burthensome exactions of government, and its vexatious interference with the most delicate concerns of private life. For in this light of an intolerable intrusion into men's private affairs is the act undoubtedly viewed by the whole native population, who, naturally cautious and averse to publicity in their money transactions, contemplate with more than suspicion whatever seems to threaten an exposure of matters, the concealment of which from general observation they may regard as of much importance.

The experience of government too, if we are rightly informed, has already discovered another formidable inconvenience attendant upon the tax in the enormous expense of collecting it—an expense which, we are assured, has been found to amount to a charge of more than forty per cent. upon the whole returns.

The strongest, however, of all the grounds on which we would urge your Hon. Court to interpose its authority, to avert the consequences of this regulation of your Bengal government, is the universal and unprecedented alarm and disquietude which it has occasioned in Calcutta. In urging upon your attention such a consideration as this, we are not calling upon your Hon. Court to make any concession to mere popular clamour. The dissatisfaction now existing among the inhabitants of Calcutta is not the feverish excitement of factious individuals, but the serious alarm of a well-ordered community, not ignorant of their rights, or unmindful of their fair claims on the Hon. Company's government.

Among the native merchants in particular, so little accustomed on ordinary occasions to feel any interest in public measures, these new exactions have, both from the peculiarly vexatious nature of their interference with the transactions of business and the unambiguous and overwhelming import of the language by which their legality has been defended, spread a ferment of discontent and apprehension, which nothing but their immediate and complete revocation will in all probability be able to allay. Several of the wealthiest of this class of the inhabitants, it is said, have already seriously contemplated withdrawing themselves from the settlement, and only defer carrying their resolution into effect until they shall have learned the result of the appeal about to be made, in the event of the failure of all their other efforts to obtain redress, to the Legislature in England.

We trust your Hon. Court will pardon any prolixity into which we may have been led, by our anxiety to submit to you whatever facts or reasonings appeared to us to be of weight in reference to a subject, your decision upon which is looked for at the present moment with much earnest expectation, by a large proportion of those who take any interest in the future welfare of India; convinced that you will at least do us the justice of believing, that in discharging our duty to our constituents we have never forgotten those sentiments of respect and consideration which we owe to your Hon. Court.

We have the honour to subscribe ourselves, Hon. Sirs,

Your most obedient and humble servants,

(Signed)

Bazett, Colvin, Crawford, and Co.  
Cockerell, Trail, and Co.  
Fletcher, Alexander, and Co.  
Fairlie, Bonham, and Co.  
Palmers, Mackillop, and Co.  
Inglis, Forbes, and Co.  
Rickards, Mackintosh, and Co.  
Finlay, Hodgson, and Co.  
M'Lachlan, Macintyre, and Co.  
Z. Macaulay and Babington,  
Small, Colquhoun, and Co.  
R. Scott, Fairlie, and Co.  
Gregson, Melville, and Knight,  
Hunter and Co.

London, 18th February 1828.

*Note.*—The foregoing representation was addressed to the Court in consequence of an interview held at the India House, between the Chairman and Deputy Chairman of the Court of Directors and a deputation of merchants, at the request of the latter gentlemen. No reply has been given by the Court to such representation, as the regulation to which it has reference has been appealed against to the King in Council, of which the deputation was informed at the time.

AMOUNT of the REVENUE received from Stamps in India, in the Years 1823-24, 1824-25, at 1825-26, showing the Gross Amount of the Tax, the Charges of Collection, and the Amount of Net Revenue from Stamps.

	1823-24.			1824-25.			1825-26.		
	Gross Amount of Revenue.	Commission, including Charges of Collection and Payment of Fees to Native Commissioners.		Gross Amount of Revenue.	Commission, including Charges of Collection and Payment of Fees to Native Commissioners.		Gross Amount of Revenue.	Commission, including Charges of Collection and Payment of Fees to Native Commissioners.	
	Ct. Rs.	Ct. Rs.	Net Amount of Revenue.	Ct. Rs.	Ct. Rs.	Net Amount of Revenue.	Ct. Rs.	Ct. Rs.	Net Amount of Revenue.
<b>BENGAL.</b>									
Lower Provinces .....	15,94,008	5,40,074	—	16,32,134	4,69,004	—	18,67,853	4,43,096	—
Ceded do. ....	9,23,952	94,586	—	2,89,804	70,975	—	9,27,736	60,604	—
Conquered do. ....	1,70,783	56,240	—	1,54,694	43,624	—	1,72,358	37,084	—
Benares .....	2,13,519	41,802	—	2,19,958	56,692	—	2,59,355	96,411	—
Deduct payments made in lieu of Fees to the native Commissioners in the Mofussil Courts, the Fees being consolidated in the Stamp Duties by Regulation 1. of 1814.	*	7,32,702	—	—	6,40,295	—	—	5,77,105	—
Current Rupees .....	23,02,256	3,55,442	19,46,814	22,96,590	3,69,254	19,27,336	26,27,302	3,59,169	22,68,133
At 2s. the Current Rupee ....£	230,225	35,544	194,681	229,659	36,925	192,734	262,730	35,917	226,813
<b>MADRAS.</b>									
Ancient Possessions .....	Pagodas.	Charges.	Net Amount of Revenue.	Revenues.	Charges.	Net Amount of Revenue.	Revenues.	Charges.	Net Amount of Revenue.
Carnatic .....	41,466	18,437	—	45,176	14,289	—	46,085	14,861	—
Tanjore .....	41,867	3,975	—	39,622	2,047	—	36,555	3,810	—
	15,873	5,180	—	17,259	7,156	—	17,545	5,893	—

Ceded and Conquered Provinces..... Countries ceded by the Nizam ...	1823-24.		1824-25.		1825-26.	
	Gross Amount of Revenue.	Commission, Charges of Establishment, and Fees to Registrars and Native Aumeens upon Causes decided.	Gross Amount of Revenue.	Commission, Charges of Establishment, and Fees to Registrars and Native Aumeens upon Causes decided.	Gross Amount of Revenue.	Commission, Charges of Establishment, and Fees to Registrars and Native Aumeens upon Causes decided.
Pagodas.....	40,089	1,123	40,415	1,172	40,153	1,111
	16,522	1,093	14,367	905	13,397	721
At 8s. the Pagoda.....£	1,55,817	29,808	1,56,739	25,569	1,53,735	26,396
	62,327	11,923	62,696	10,228	61,494	10,558
			50,404	52,468		50,936
<b>BOMBAY.</b>						
Receipts .....	1823-24.		1824-25.		1825-26.	
	Gross Amount of Revenue.	Commission, Charges of Establishment, and Fees to Registrars and Native Aumeens upon Causes decided.	Gross Amount of Revenue.	Commission, Charges of Establishment, and Fees to Registrars and Native Aumeens upon Causes decided.	Gross Amount of Revenue.	Commission, Charges of Establishment, and Fees to Registrars and Native Aumeens upon Causes decided.
Deduct Fees to native Aumeens, &c.	2,54,240	94,328	2,69,860	99,196	2,60,795	1,11,278
	—	61,969	—	64,328	—	75,663
Bombay Rupees.....	2,54,240	32,357	2,69,860	94,868	2,60,795	35,615
At 3s. 3d. the Bombay Rupee...£	28,602	3,640	30,359	3,923	29,339	4,006
			24,962	26,436		2,25,180
						25,333
<b>COMBINED RESULTS of the foregoing STATEMENT.</b>						
Bengal .....	1823-24.		1824-25.		1825-26.	
	Gross Receipt.	Charges ex- clusive of Fees.	Gross Receipt.	Charges ex- clusive of Fees.	Gross Receipt.	Charges ex- clusive of Fees.
Madras .....	£.	£.	£.	£.	£.	£.
Bombay .....	230,225	35,544	229,659	36,925	262,730	35,917
	62,327	11,923	62,696	10,228	61,494	10,558
	28,602	3,640	30,359	3,923	29,339	4,006
Total.....£	321,154	51,107	322,714	51,076	353,563	50,481
			270,047	271,638		303,082

East-India House, 16th June 1828.

(Errors excepted.)

JAMES C. MELVILL, Auditor of Indian Accounts.

## Royal Asiatic Society of Great Britain and Ireland.

*Saturday, December 6th 1828.*—The first general meeting of the Society for the seventh session was held this day, and was very numerous attended; Col. Lushington, C.B., M.P., in the chair.

The meeting having been made special for the purpose of taking into consideration the terms of a proposed union between this Society and the Literary Society of Bombay, the business of the day was opened by the assistant secretary reading the communication from the Bombay Literary Society and the regulations proposed by the council to be founded thereon.

Upon the Chairman proceeding to put the question as to the adoption of these regulations, Sir George Staunton rose and observed, that he thought sufficient time had not been allowed for the members to form an opinion as to the propriety of the proposed measure; and viewing it as one of very great importance, he thought that further time ought to be taken for deliberation upon it; he therefore moved, as an amendment, that the further consideration of the question be postponed to the next general meeting, to be held on the 3d of January; which was seconded by Major Smith.

Mr. D. Pollock argued that there was no necessity for the delay suggested, as the subject had been for a very long period under the consideration of the council, at whose meetings it had frequently been discussed.

Mr. Pollock was followed on the same side by Col. Doyle and the Chairman; while Majors Carnac and Smith supported Sir George Staunton's amendment, which was ultimately carried by a show of hands.

The business for which the meeting was made special having been for the present disposed of, the ordinary business of the general meeting was entered upon by the reading and confirmation of the minutes of the last general meeting, July 26; after which various donations were presented, amongst which was a complete set of the publications of the Imperial Academy of Sciences at St. Petersburg, in 67 vols. 4to. from his Imperial Majesty the Emperor of Russia.

A paper by Capt. Grindlay, explanatory of some sculptures in the cave temples of Ellora; and an account of the religious establishments of Méwar, by Lieut. Col. Tod, were then read.

Col. Tod's paper is an extremely interesting disquisition, comprehending details regarding the revenues and secular rights of the temples of Rajpootana, the privilege of sanctuary attaching to them, the temporal resources of the priesthood, and a variety of local peculiarities, illustrative of the superstitious prejudices of the natives, with which the writer's facilities of observation in that country afforded him a close familiarity. Not the least interesting part of the paper consists of elucidations of the various creeds prevailing in the country, wherein the striking analogies between eastern and western mythology are occasionally pointed out. This curious paper will probably appear in the forthcoming portion of the Society's *Transactions*, in the course of the ensuing month.

William Harrison, Esq. was elected a resident member, and MM. Balbi, Jomard, and Ritter were elected foreign members of the Society.

Dr. G. G. Sigmond, having made his payments and signed the obligation book, was admitted a member of the Society.

The meeting was adjourned till January 3d, 1829.

## VARIETIES.

## ASIATIC SOCIETY OF CALCUTTA.

A meeting of this Society was held at Chowringhee on the 2d July; Sir C. Grey, president, in the chair.

Amongst the articles presented on this occasion was one of the wheels of the car of Jagganath, beneath which a man had been crushed to death.

A letter was read from Mr. Swinton, suggesting a subscription to forward the construction of Dr. Brewster's polyzonal lens on a large scale. The expense is not ascertained, but it is supposed that it will not exceed £300. On considering the question, it was resolved by the meeting, that, however desirable it might be to promote Dr. Brewster's views in the construction of his polyzonal lens on a large scale, the scope and purposes of the Asiatic Society did not admit of furnishing pecuniary aid to objects beyond the prescribed sphere of its operation.

The secretary also laid before the meeting a chapter on electricity and galvanism, by G. Murray Paterson, Esq. It contains a new table of physics, as follows: 1, one supreme physical agent, which produces the motion and union of all matter throughout this solar system; 2, its manifold energies, such as electricity, galvanism, caloric, light, magnetism, &c.; 3, passive substances of this planet, including all solids, fluids, and gases, contained therein and thereon. The paper submitted, however, furnishes only the opening of the theory of the ingenious author.

A plan of a universal alphabet, by John Tytler, Esq., was read by the secretary.

Mr. Tytler thinks, that a method of accurately expressing oriental words in Roman characters, or of forming an alphabet legible to Europeans, and corresponding with those of the East, is every day more urgently required. Our increasing intercourse with this part of the world renders the converse a matter of no less importance, that is, how to express European words in oriental letters. Mr. Tytler observes, that philologists have not, in general, paid much attention to the advantage that may be derived from the great number of alphabets at present employed in Europe, all of which are quite distinct, and readily distinguished from each other. We have in the first place, the pair of Roman alphabets, capital and small, the pair of italics, of German, of Greek, and our written alphabet; that is, no less than ten distinct alphabets. These may be doubled in number, at once, by making them in that form which

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printers call open, or two thin strokes in place of every single thick one. This number may again be doubled by those fancy letters which we see occasionally used. Thus we may have no fewer than forty intelligible, yet quite different alphabets, and the number, with a little ingenuity, might easily be increased to any extent. Although grammarians have taken no advantage of this abundance of characters, mathematicians have, and in the modern differential calculus especially, different classes of quantities and operators are denoted by variations of alphabets. No good reason then can be given why grammarians should not employ the same means to express, when necessary, different classes of sounds. Mr. Tytler instances the use of Greek and Roman letters by modern algebraists. The letters strictly so called, of the Arabic alphabet, may be divided into two kinds. First, those which have corresponding sounds in European alphabets, secondly, those which have not. The first class Mr. Tytler proposes representing universally by the capital Roman letters, and it may again be sub-divided into two sets of letters, those whose sounds are invariable, which are the proper consonants, and those whose sounds change according to the vowel point, which is placed over them. These are the letters of softness, or long vowels, alif, vao, and ya. The first class requires only one Roman representative for each letter. The second class requires a different Roman character to suit each of its different sounds, yet such as that those Roman characters shall be applied to no other but that individual Arabic letter.

The following example will suffice to shew in what manner Mr. Tytler proposes to employ the European alphabets to represent Arabic words:—

أحمد لله

AaLHuMDo LiLLaAHi.

بسم الله الرحمن الرحيم

BiSMi—(AL) LLaAHi—(AL)—RRa  
HMa AHi (AL) RRa He EM.

But he does not give us a specimen of English words in the Arabic character.—  
*Cal. Gov. Gaz.*

A meeting of the Physical Committee of this Society was held at Chowringhee on the 21st May; Sir Edward Ryan, president, in the chair.

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At this meeting it was unanimously resolved forthwith to publish the papers already received and approved by the committee.

Part of Capt. Coulthard's paper on the trap formation of the Sagur districts on the Nerbudda was read, and also Dr. Adam's observations on three specimens of insects of the Mantis tribe.

In Capt. C.'s remarks on the trap formation of the Sagur district, and of those districts westward of it, as far as Bhopal-pore, on the banks of the river Newuss, in Oomutwara, he observes, that at PUNCHMUNUGUR and SUTPARAH, there is the *lias*; and about nine miles west of those places, or at SUWIA, the trap and sand-stone. The same may be said of PUTTAREEAH and GARRUCOTAH, on the right hand, and SHALPORE, one march on the left, or westward; and then, if a line be drawn between these places as respectively mentioned, leaving the river Beas, as it occurs between SHALPORE and PUTTAREEAH, in the *lias*, and also continue this line southward to the red sandstone hill which overhangs TEINDOO KHERA, in the vale of the Deorce, there will be a tolerably correct eastern boundary given to the trap formation of Sagur. The vale of Deorce is of an older formation than either the *lias* of the Huttah district, or the sand-stone subjacent to the trap of Sagur. An iron ore is worked to a considerable extent at a spot intermediate between DHAMOONEE and MURROORA. DHAMOONEE has the trap and sand-stone, and the trap ceases five miles and a half south of Heerapore, whilst the bare sand-stone, freed from any overlying mass, continues until it may be seen resting on matter incident to the primary rocks at Heerapore, and where, too, it ceases entirely. In the trap hills there never occurs a bold bluff escarpment, their sides and ends being always sloping and rounded, and of easy ascent. The sand-stone rock is very prevalent as a mere mound or rise, constantly having a village upon it, and situated often on the plain ground. With regard to the general level of the land above the sea, there is a peak shooting up from a trap range to the eastward of RAISSEIN, which attains an elevation of something more than 2,500 feet, but the hills of RAISSEIN are much less, so also is the sand-stone range of hills on the north bank of the Nerbudda at HOSHUNGABAD. Sagur, upon the whole, is the highest part in this tract. The centre of the cantonments at Sagur is 1,983 feet above the level of the sea, by the barometer; and the hill at the mint of Sagur, which may be quoted as a mile from the last named point, is something more than 2,300 feet, by trigonometrical calculation. Trap is always every where earthy homogeneous deposit, from which it is to be inferred that there does not

occur in it any rock of a definite, or nearly approaching to definite crystalline structure; neither will a coarse-grained basalt be found, nor a syenite, nor a green-stone, shewing distinctly its constituent simple minerals, nor is there either a clink-stone or a clay-stone. It appears as a closely allied family of basalts, of a very fine grain, of wackens and amygdaloids; all others of the long list of trap-peak rocks may be, he thinks, thrown out of consideration, as of no occurrence here.

Capt. Coulthard then goes on, numerically, with the specimens he has collected, to illustrate and verify the geological facts communicated in this paper. There is a basalt in these parts which has been said to be similar to the Rowley rag, and Capt. Coulthard thinks that it certainly does agree very closely with the description given of that mineral. Its colour is greyish black, its lustre slightly glimmering, and it has a flat conchoidal fracture, and is difficultly frangible. There is another basalt, but its colour is soot-black. There is also a third, but softer, and splits by a moderate blow at natural joints into four-sided prisms. All the rocks seem to be, though not wholly, yet essentially, composed of an intimate mixture of felspar and hornblende in an earthy state. But the principal rock throughout the formation is a compact indurated wacken, in colour black, with a very distinct brownish tinge.

Whether a well be sunk in trap or sand-stone, the water is always found at a very easy distance. It may often be come upon, even during the dry season, within three feet of the surface in the vallies. Sometimes it will be so low as twenty-five feet, whilst the medium is about twelve.

We cannot follow the author through the whole of his geological examination of the country in the neighbourhood of Sagur. Capt. Coulthard observes, that he found no organic remains in his progress, and sums up by saying, that the latitude of Heerapore is occupied by a primitive range, and similarly circumstanced is the skirt of the alluvium south of the Nerbudda. Far in the west, the longitude of Oudeypore forms a limit, and a granite range crosses the Nerbudda at Jubblepore, and stretching northerly, constitutes the eastern boundary. This basin is elongated east and west; this oblong, though formed of primitive rocks, has in its internal or hollow a great valley of denudation. From Oudeypore, on the western limits, to the central part, Sagur, the pyroidal rocks blacken the surface, and at Sagur they rest on the sand-stone which appears not to have much intermediately between it and the proximate primitive rocks. It is a continuation, and a sort of north-eastern bend of the

the rock of the Malabar coast, from Baroda as a point, and contains more, perhaps, than 54,000 square miles.

We must now advert to Dr. Adam's remarks on the mantis tribe of insects, which of all others in India are the most remarkable for their external form. According to the latest classification, this tribe has been divided into the two families of the mantida and phasmida, founded on a difference in the structure of the foot or leg; this member in the former being raptorious, or provided with a sharp claw, and a hollow on the leg and thigh, and a double series of spurs for the better securing its prey; and in the latter, being destitute of any such peculiarity. Dr. Adam calls two of the specimens laid before the committee, gongyloides, as they appear to correspond closely with the description and figure of that species in the latest entomological works. This insect, when alive and fresh, presents a striking resemblance to a blade of grass, differing in colour according to the season, being green and succulent in the rains, and in the dry weather so much like a withered straw, that they can with difficulty be distinguished. On first beholding this insect, during the hot winds in the Upper Provinces, Dr. Adam could hardly be convinced that it was not straw, and part of the same long and dry grass on which it rested. A slight movement of the head, however, like that of the house lizard on the wall, when watching its prey, satisfied him that it was a living object, and on removing grass and all to his tent for examination, he was both surprised and amused at the extraordinary powers which the insect developed. Clinging close to the upright straw which was fixed on the table, the animal lay in wait for its prey, with no less design than would be exhibited by a cat or a tiger, and if an unlucky fly happened to alight in his neighbourhood, there was hardly left to it a chance of escape. He projects rapidly his armed paw, and with unerring aim transfixing his victim, lodges it in the toothed hollow of the thigh, destined for its reception. After the fly is in his power no time is lost in devouring it, commencing with the trunk, and in a few minutes swallowing the whole, the head and wings constituting the finishing morsel. In this manner he would destroy at a meal five or six large flies, which, in point of bulk, nearly doubled his own body. On viewing the structure of the fore limb of this insect, it seems impossible to imagine any thing more perfectly contrived for the end in view. The limb itself so strong and muscular, provided with a claw at its extremity, likewise strong, horny, and sharp as a needle, and the groove in the two last joints, with the double row of teeth, or spurs, on the

margin, corresponding and locking closely into each other, like the fangs of the alligator, altogether constitute an apparatus for seizing and securing its prey, which, in so small a creature, cannot but excite admiration. By means of these formidable weapons, the insect not only becomes destructive to others, but is employed to attack its own species; and in China, we are told, fighting the mantis forms as much the favourite amusement of boys, who carry them about in cages for the purpose, as cock-fighting in England, or among the inhabitants of the Eastern Islands.—*Ibid.*

At another meeting of the committee, held on the 13th June, a singular species of mollusca, from the coast of Ceylon, was presented by Mr. Calder. The specimen was sent to that gentleman by Capt. White, commanding the ship *Sherburne*, who gives the following account of the manner in which it was procured by him. While passing Ceylon, he says, a boat came off, in which was this curious sea animal. We had never seen any thing of the kind before, and the natives appear to have a great dread of them, as they give an account of the large ones, on being touched, possessing the power to destroy the use of a man's arm. It lives on the weeds which grow on the rocks, and is frequently found on the coast of Ceylon. It is observed, that from several circumstances in its anatomical structure, the species would appear to rank among the *Asterias*; but it differs materially in other respects from the species described by systematic writers, and presents a peculiarity of external form that does not belong to any of the mollusca, as far as his acquaintance with this order extends. It is, however, chiefly interesting from the reputed power it possesses, as alluded to by Capt. White, of benumbing or destroying the ability of the person's hand touching it, resembling in this point the *Torpedo*, *Ruia*, and *Gymnotus Electricus*. It seems strange, however, that no mention should have been made of an animal of this description by any of the authors who have written on Ceylon, and its natural productions. The subject is deserving of further inquiry, and should the native account be confirmed, we shall have obtained a most interesting addition to our zoological knowledge in the animal now under consideration.—*Ibid.*

#### MEDICAL AND PHYSICAL SOCIETY OF CALCUTTA.

A meeting of this Society was held on the 7th June, H. H. Wilson, Esq., V. P., in the chair.

Amongst the papers read and discussed at the meeting was a history of the cholera



lera morbus, as it appeared recently in H. M.'s 14th regt. of foot, at Berham-pore, by Dr. Mouat.

Dr. M. witnessed the attacks of this scourge for upwards of ten years, and though he has studied it, watched its invasions, contemplated its progress, endeavoured to trace its causes, as well as to alleviate or mitigate its symptoms, yet he finds it still the same inscrutable, inexplicable, and intractable disease, as when he first arrived in India in 1817.

On the 14th of March a man was attacked on the bazar guard with cholera. He was taken into hospital with the disease fully developed, and in its worst form: his life was saved with difficulty. On the 15th two more were admitted; on the 16th nine; on the 17th ten; on the 18th eleven; on the 19th six; and so on, up to the 31st, when ninety-four in all had been admitted, of which twenty died. The admission of so many cases of course presented the disease in every shape and variety. Some remained without the application of any remedy till the disease had been fully established, and yet recovered, whilst others again, although taken to the hospital in the earliest stage fell a sacrifice to the malady. In former attacks of cholera bleeding was resorted to, and found to be a speedy and efficacious remedy; but in the present instances, it is said to have sunk the patient, induced spasms and cold sweats, and destroyed the powers of life, so that when the pulse was feeble, the eyes languid, and the countenance distressed, Dr. Mouat was obliged to refrain from the use of the lancet. The thirst in every case was most insatiable, urgent, and intolerable; often with pain, anguish, or sensation of burning at the epigastrium, or stomach. Nothing served to quench it; rinsing the mouth, however, with a little acid drink, or sucking a slice of lemon gave most relief. A copious draught seldom failed to excite vomiting, and this the spasms, so that the most painful duty of the attendant was a refusal to the entreaties and prayers of the patient for drink. The state of collapse sometimes continued long, but recovery seldom took place if it had lasted more than four hours. The spasms in but few were so violent as Dr. Mouat had previously witnessed; they were principally confined to the toes, soles of the feet, calves of the legs and thighs, seldom the trunk and rarely the superior extremities. In two the muscles of the neck and chest were affected, and one of them died. The pulse was mostly slow, fifty, fifty-five, and sixty to eighty in a minute. The functions of the mind were little if at all disturbed to the last, and so long as articulation remained the answers were pertinent and collected. At first much alarm and anxiety were appa-

rent, but this wore off, or, rather, the individuals became insensible or careless as to the result. Some referred the attacks of the disease to a hearty meal, others to drinking, some to taking a draught of cold water, and others to exposure to the sun, or the chilling damp of the night air.

Some were worn out men, debilitated by irregularity and long residence in India; others were sober, young, and temperate, and known as the best and most orderly soldiers in the regiment. It has been observed, says Dr. Mouat, that none of the very worst characters have fallen a sacrifice to the disease, and few even suffered its attacks.

It appears that none of the native attendants at the hospital were attacked, though in the immediate vicinity of the bazar several died daily. This fact affords no ground for considering the disease contagious.

Calomel, in scruple doses, with opium or tincture of opium, restrained the vomiting better than any other medicine. Magnesia also, in this respect, proved very useful, and seemed to relieve greatly the burning or anguish at the pit of the stomach.

A large blister along the chest tended much to rouse the system, and also blisters to the spine. Laudanum, ether, ammonia, and camphor were the principle stimuli given internally, with hot brandy and sago, which latter appeared the most efficient, permanent, and universal stimulant of any. Hot bottles of water to the sides, feet, &c. were never omitted, and hand frictions of the arms, legs, thighs, &c. did more to restore the heat and circulation than any thing else. The warm bath exhausted the system, and in no case did good. Very copious draughts of very hot water were tried, but without effect. On dissection every case was minutely examined, and, with the exception of the vessels of the head, brain, lungs, liver, stomach, and intestines, appearing tinged and sometimes loaded with blood, there was nothing observed worthy of recording.

Dr. Mouat's observations are accompanied by a return of the cholera cases, in which scruple doses of calomel with opiates were almost invariably employed. We observe that out of the ninety-four cases, above adverted to, thirty-three were bled to the extent of from fourteen to thirty ounces. Of the twenty fatal cases before-mentioned, six were bled. Dr. Mouat furnishes a further return from the 1st to the 15th of April last, comprehending thirty-nine cases, of which seven were fatal. Out of the thirty-nine thirteen were bled, and among the seven fatal cases one was bled.

In the majority of the cases latterly seen,

seen, there was much more arterial action, and a strong disposition in the disease to be combined with fever. Thus it would seem that, when it raged with the greatest violence, it excluded the epidemics of the season, or so modified them that they could no longer be said to exist. Though it cannot be said that the cholera has disappeared, yet, continues Dr. Mouat, it certainly seems a good deal changed in its invasions, less frequent in its attacks, and more tractable in its progress, sooner running into the endemic diseases of the country, and thus evincing that it may be expected soon entirely to disappear. — *Ibid.*

Another meeting of this Society was held on the 5th July.

Mr. Preston, assistant surgeon on the Madras establishment, has given some account of the employment of phosphorus in various diseases, and especially in cholera. He adverts to the danger of an injudicious use of the remedy, and mentions that a case of poisoning by it had occurred in France. He says that the cholera having broken out in a large detachment of Europeans proceeding to Nagpore, he was requested by the medical officer in charge to see with him one of his patients, who had been attacked many hours before, and at the time appeared sinking: thinking the case perfectly hopeless the phosphorus was tried. Two grains, in the form of a pill, were exhibited, and, after a short time, the patient felt a strong sensation of heat and glowing in his stomach. In two or three hours more the same quantity was repeated. The sensation of heat continued, the forehead became covered with a warm perspiration, and the man eventually recovered. A second case was treated in the same way, and the phosphorus was equally successful, but in a third it failed; however, it is said, the man was dying at the time, having just arrived at the ground, after exposure for some hours on a sick-cart, to both wet and cold, whilst under the influence of the disease. It is remarked that, in the two successful cases, other stimulants were employed in combination with the phosphorus, but as those stimulants had been given freely before without effect, the recovery, in both instances, is ascribed to the phosphorus alone.

Mr. Preston entertains a very favourable opinion of phosphorus, and believes that it will be found more efficacious than any other remedy we can employ in those cases of cholera where there is great depression of the powers of life, and a diminished sensibility to impressions. It is an exceedingly strong stimulant, and seems to pervade every part of the system. The dose however, must be re-

gulated according to circumstances. At the commencement a much smaller dose is required than when the employment of it is delayed to a later period.

Mr. Preston also prescribed the same remedy in a case of almost total paralysis of the upper and lower extremities. The patient, a native, recovered so far as to be able to walk about with tolerable ease, with the assistance of a stick. Two, three, and four grains were exhibited morning and evening for some days. In convalescents it improves the appetite and digestion, and seems almost directly to communicate strength. In all cases of inflammatory action phosphorus is, however, precluded.

A continuation of extracts from Dr. Govan's observation on the Himalaya was communicated by government to the Society. It contains remarks respecting the medicinal properties of some of the vegetable substances peculiar to the belt of elevation of from 6,500 to 7,000 feet above the level of the sea. The leaves of the *rhododendron arboreum* are said to be often injurious to cattle, and to be possessed of considerable power upon the human frame, having a diaphoretic and stimulating effect. An excess in the dose produces trembling, faintness, and sometimes death. Acid substances are said to form the best antidotes against its poison. The *andromeda ovalifolia* of Don's *Prodromus* is, where its early leaves are used, a much more violent poison than the rhododendron, and cows, goats, and sheep are frequently destroyed by it, if not speedily attended to, producing tremors and paralysis. Externally it is highly useful in various cutaneous complaints both of men and animals. The acrid milky juice of a species of *euphorbia* is not only used as a rubefacient, and to produce vesication externally, but is occasionally employed internally, made up with flour into pills, as a drastic cathartic. A shrubby species of *solanum*, known by the name of *urkhool*, is used in infusion of the leaves to destroy leeches, with which the nostrils of cattle are apt to be infested in the hills.

The barometer generally ranged on the Simla ridge from 22.850 to 23.150, from July last to January. The highest range of the thermometer during the period was 71° and the lowest 32°.

In the department of zoology the number of species of birds collected does not exceed forty, and of wild quadrupeds two species of antelope and two cervi. — *Ibid.*

#### THE FRENCH SCIENTIFIC EXPEDITION TO EGYPT.

The French journals contain a letter from M. Champollion, dated at Cairo, 27th September last, which is a kind of report

report of the proceedings of the scientific expedition to Egypt under his direction.

The French literati left Alexandria on the 14th, on the new canal, which partly follows the direction of the old canal, but is less circuitous, and passes between Lake Mareotis on the right, and that of Edkou on the left. M. Champollion speaks with rapture of the enchanting prospect of the Delta, the fertility of which, he says, has not been exaggerated, and which clothes the banks of the Nile to the very margin with verdure. M. Champollion paid a visit, in his way, to the ruins of Sais, passing a necropolis covered with fragments of pottery. Crossing the first gateway, the travellers were struck with the prodigious masses before them, eighty feet high, which looked like rocks split asunder by thunder or an earthquake. This inner necropolis, in which are still traceable many small sepulchral chambers, is about 1,400 feet in length, by nearly 500 feet wide. In some of the chambers there were still to be seen large vases of baked clay, intended to receive the intestines of the dead, like the canopic vases. Some bitumen was found at the bottom of one of them. On the right and left of this necropolis were two mounds, on which were fragments of stone, including some pieces of white Theban marble, sculptured with Pharaonic legends, of which M. Champollion took copies. The whole circumference of the great outer wall is upwards of 7,000 feet. It is a parallelogram, the least sides of which are 1,440 feet, and the greatest 2,160. The height of the wall he estimates at eighty feet, its thickness was measured and found fifty-four feet. "This gigantic circumvallation," he adds, "appeared to me to include the principal sacred edifices of Sais. All of which any remnants are left were evidently necropoli, and from what is stated by Herodotus, the enclosure I visited must have contained the tombs of Apries and the Saite kings, his ancestors: on the opposite side must have been the sepulchral monument of the usurper Amasis. That part of the enclosure towards the Nile might easily have contained the great temple of Neith, the chief goddess of Sais, and we drove away, by our musket-shots, some owls, a bird sacred to Minerva or Neith, and which appears on the medals of Sais, and those of Athens, its daughter. At a few hundred yards from the angle nearest the modern gate, are some hills covered with another necropolis, which was appropriated to people of quality. There had been already dug up in it an enormous sarcophagus of green basalt, which I saw; it was that of a guardian of the temples under Psammetichus II. It belongs to M. Rosetti."

They resumed their voyage on the 17th September. On the 19th they first beheld the pyramids; the bulk of these prodigious masses, M. Champollion could judge of, though at the distance of eight leagues. At the point of the Delta, where the Nile divides in two large branches, that of Rosetta and that of Damietta, the prospect was magnificent, and the breadth of the river astonishing. On the west, the pyramids reared their summits in the midst of palm trees, on the east was the picturesque village of Shorafeh, in the direction of Heliopolis; in the distance appeared Mount Mokattam, crowning the citadel of Cairo, and its base hidden by the forest of minarets in this great capital.

They arrived at Cairo on the 21st, the festival of the birth of the prophet, when the city resembled a vast fair, in which religious ceremonies were mixed with secular dancing and singing, conjuring, &c. This jumble of profane and religious rites, added to the oddity of the figures and costumes, formed a spectacle which, M. Champollion says, he shall never forget.

M. Champollion speaks well of Cairo; the narrowness of the streets excludes the heat; although not paved, it is remarkably clean. It is quite a city of antiquities; most of the houses are of stone, and gates sculptured in the Arab style are numerous; elegant mosques, with a profusion of Arabesque ornaments and minarets in the purest taste, impart to it an imposing and varied aspect. M. C. was invited by an aged sheikh to enter one of the mosques, and he pronounces it the most beautiful Arabic monument in Egypt. He was cordially received by Habel Effendi, the governor of Cairo, who gave him instructions for examining the monuments of Upper Egypt with more ease. In the citadel, M. Champollion took a copy of a bas-relief on which is represented Psammetichus II. dedicating a propylon. Various blocks of marble lay about the citadel, which appear to have belonged to the same monument at Memphis, whence they had been brought. Each stone, which was carefully shaped, bore a *mark* denoting under what king the block had been extracted from the quarry, as well as the royal legend, with a title, which shewed the destination of the block for Memphis. Upon these ruinous blocks M. C. observed the marks of three kings, Psammetichus II., Apries his son, and Amasis, shewing the time which the edifice took in building. In the citadel are also some remains of a royal palace of Sultan Saladin.

M. Champollion states that he should start the next day for Memphis, and should not return to Cairo this year. He proposes

proposes to fix himself at a village in the centre of the ruins of the old city, whence he could prosecute his researches in Sacara, Dakshour, and the whole plain of Memphis as far as the pyramids of Gizel. Thence he will proceed to Thebes, after spending a short time at Abydos and Dendera.

#### THE ANCIENT CITY OF ANURAJAPURA, IN CEYLON.

Anurajapura, once the imperial residence of the kings of Ceylon, is situated in the province of Neur Kalavee, about ninety miles to the northward of Kandy, and sixty-seven miles from Manar. According to the Singalese book, entitled *Rajavalli*, which contains an account of the Ceylonese monarchs from the commencement of their dynasty, and of which M. Valentyn has given a Dutch version in his "History of Ceylon," the city of Anurajapura was originally founded by Vijenua Bahu and his immediate successors, and Pundu Kabaja, who ascended the throne about the year of our era 246, rebuilt it with great magnificence. On the death of the king Seratissanam Raja, which took place about the year 389, the Malabars, who were then in great influence on the island, laid siege to Anurajapura, but were forced to raise it with great loss by Dutugenunu Maharaja, the son and successor of the above-named monarch. The kings of Ceylon, at length, removed their court to the city of Cottah, in the southern province, and consequently Anurajapura was neglected, and it dwindled, by degrees, to its present ruinous state. It is now almost covered with jungle and woods, "which

form the undisturbed domain of wild beasts and reptiles." Near the site of the ancient city there is a small viharre (temple) dedicated to Budh, and attached to it, a pansalle or monastery, where a number of gananassis (monks) usually reside to collect the offerings made to the Sreemahabod (*ficus religiosa*), which stands close by, on a ridge built with chunam and brick. In the neighbourhood of the viharre there are a vast number of stone pillars dispersed on all hands, and several stupendous pyramids, which are reported to have been raised to perpetuate the memory of the kings who resided there, and whose spirits the Singalese now hold to be saints in glory, having merited it by erecting religious edifices in honour of Budh. The Sreemahabod, which stands here, is reckoned above all other trees of that kind in Ceylon, and the votaries of Budh assemble here annually to celebrate their festivals under this tree, which, they say, furnished a cooling shade and soft repose to Budh, when he was at liberty to relax from the devout labours of his mission. The Singalese accounts represent this sacred tree to have been brought thither by some royal itinerants from the southern coast (of India), out of a country called Madanpudipe, but the writer of the "short account of the origin of the people of Mahabodu," subjoined to the report of the Columbo Bible Society for 1816, asserts, on the authority of some Sanscrit and Pali books, that it was sent to the King Devini Petissa Raja, by Dhurma Soku, a king of Putaliputra (Palibothra), in Dumbadiwa.—*Madras Gaz.*

### NEW PUBLICATIONS.

#### LONDON.

*Biblia Sacra Polyglotta*: Bagster's quarto edition—the Fifth and last Part.

This part contains the entire New Testament in five languages.

*History of India*, embellished with a correct Map and numerous Engravings (being Parts 41 to 48 of "The Modern Traveller"). 4 vols. 18mo. £1. 2s.

*Saul at Endor*, a Dramatic Sketch. By the Rev. Edw Smedley, A.M. 8vo. 3s. 6d.

*Present State of Van Diemen's Land*; comprising an Account of its Agricultural Capabilities, with observations on the present State of Farming, &c. pursued in that Colony, and other important matters connected with Emigration. By H. Widdowson, late Agent to the Van Diemen's Land Agricultural Establishment. 8vo. 8s. 6d.

#### In the Press.

*The Bengalee; or Sketches of Society and Manners in the East*; including Satires in India, and several other Poems; and continued during the voyage home, and on his return to England. By an Officer of the Bengal Army.

*A New History of India*; by Mr. J. A. St. John and Mr. Leitch Ritchie. 2 vols. 8vo.—The work embraces the history of the country from the earliest times; and attempts to exhibit a full-length portraiture of the Hindoo people, by dissertations on their castes, customs, manners, religion, &c.

*Memoirs of the Extraordinary Military Career of John Shipp*, late a Lieutenant in H.M.'s 87th Regiment. Written by himself. 3 vol. cr. 8vo.—The narrative extends over a period of thirty-four years, twenty-five of which were spent in the East-Indies, on most active and arduous service, during the wars of the late Lord Lake, and the Most Noble the Marquess of Hastings, from 1801 to 1826.

*A New System of Geology*. In which the Great Revolutions of the Earth and Animated Nature are reconciled at once to Modern Science and Sacred History. By Andrew Ure, M.D., F.R.S., &c. 1 large 8vo. vol., with Engravings.

#### CALCUTTA.

*A Grammar of the Thai, or Siamese Language*. By Capt. James Low, of the Hon. East-India Company's service. 4to. 10 Rs.

#### In the Press.

*Moojia*, with commentary of Sudeedee, a Medical work of considerable repute. 1 vol. 4to. (400 pp.)

*Hindoo-stanes Selections*, 2 vols. 4to. (about 1,000 pp.)

*Aluf Lyla, or Arabian Nights' Entertainments*, 1 vol. 8vo. (800 pp.)

*Doorool Moektar*, a work on Moomohedan Law. 8vo. (1,000 pp.)

## ASIATIC INTELLIGENCE.

### Calcutta.

#### GOVERNMENT GENERAL ORDERS.

##### FIRE ENGINES.

*Head-Quarters, Simla, June 4, 1828.* The Commander-in-chief is pleased to announce, that directions have been given to attach a fire-engine and some fire-ladders to every European regiment that is quartered in thatched barracks. They are to be under charge of the barrack-master, or executive engineer at each station; and officers commanding stations will give directions for their being lodged in some place near the barracks, where they can be instantly brought into use when required.

Officers commanding regiments or detachments of Europeans to which the fire-engines are furnished will give orders for a few soldiers being trained to use them.

##### WAR ROCKETS.

*Fort William, June 13, 1828.*—The Governor General in Council is pleased to direct, that war rockets shall no longer be attached to any one particular troop of artillery, but be distributed to the field batteries of horse artillery, in such proportions as his Exc. the Commander-in-chief may be pleased to determine. The troop of horse artillery, heretofore denominated the Rocket Troop, is accordingly to be supplied with field ordnance in lieu of rockets, and organized like the other troops of that corps, all supernumeraries in the establishment of the troop being gradually absorbed.

His Exc. the Commander-in-chief is requested to issue such subsidiary orders as may be necessary to give effect to this arrangement from the 1st August next.

##### NEW TROOP OF HORSE ARTILLERY.

*Head-Quarters, Simla, June 27, 1828.*—Under instructions from government, his Exc. the Commander-in-chief is pleased to direct the immediate conversion of the rocket troop into a troop of horse artillery, to be equipped with ordnance of the same calibre, and in the same proportion as the other European troops of the corps. The designation of Rocket Troop is, therefore, abolished, and it is, in future, to be returned as the 2d troop of the 2d brigade horse artillery.

The men and horses at present attached to the troop, in excess to the establishment allowed for a troop of European horse artillery, will remain and be borne

on the returns of the troop as supernumeraries, until casualties occur to bring them on the established strength.

Maj. Gen. Sir J. Nicholls will give orders for the officer commanding the newly formed troop of horse artillery, to prepare and transmit the necessary indents for guns, waggons, saddlery, harness, and other equipments, which will be required, and will direct the appointments and equipments which are peculiar to the rocket troop to be sent to the Delhi magazine.

The Commandant of Artillery will give directions for a proportion of men in every troop of horse artillery, and in every company of foot artillery, being trained to the use of the rockets, that they may know how to use them when requisite.

##### EXPENDITURE OF GOVERNMENT MONEY.

*Fort William, July 3, 1828.*—The Hon. the Governor General in Council has been pleased to lay down the following rules, for the guidance of all government officers to whom money may be advanced on account of government works, and for the purpose of being subsequently expended by partial disbursements.

1st. No government officer is, hereafter, at liberty to withdraw from a government treasury a larger sum than required by him for immediate disbursement.

2. Officers in charge of government treasuries are directed to make advances on account of assignments on their treasuries, in such sums as the officers, holding the same, may, from time to time, apply for, taking their receipt in duplicate, one on the back of the assignment, which will remain with the officer in charge of the treasury making the payment, and the other to accompany the cash account as a voucher for the advance.

3. If from unavoidable cause, and in any special instance, it shall be necessary to draw at once the amount of an assignment, the necessity for doing so is to be clearly stated, in writing, to the officer in charge of the government treasury, who is to forward the document tacked to the assignment, or draft on his treasury.

4. Government officers, having occasion to draw the whole of their demands at one time, are not to place the money so drawn in the hands of any banker, or to remit it (as has sometimes been done) to their agents, for secure custody.

5. At the presidency, the bank of Bengal affords to all officers the convenience of a safe custody for government money, when it may be necessary to withdraw money from a government treasury, to dis-  
burse

burse in small sums. It is seldom that a necessity can arise for withdrawing a sum from a government treasury at a distance from the presidency, before it is required to be disbursed, but when such unforeseen circumstance arises to render it expedient that the government money should temporarily be placed in a banking house, the deposit shall then be made in the name of the depositing officer on account of the government, to distinguish the deposit from private money belonging to the depositor, and the officer making such deposits will immediately notify the same to the accountant of his department.

6. Any government officer, who receiving money from a government treasury for government purposes, shall pass the amount to his agents or blend it with his own private cash, without designating such money to be government property and without notifying the same to the accountant of his department, will be considered as having made an unlawful appropriation of the same, and will subject himself to be proceeded against accordingly.

#### NEW GOVERNOR GENERAL.

*Fort William, July 4, 1828.*—The Right Hon. Lord William Cavendish Bentinck, &c. being arrived, the commission of government from the Hon. the Court of Directors, bearing date the 17th Oct. 1827, appointing his lordship to be Governor General of the presidency of Fort William in Bengal, is read:

The usual oaths having been administered to the Right Hon. Lord William Cavendish Bentinck, he takes his seat as Governor General, under the customary salute from the ramparts of Fort William.

The separate commission, appointing Lord William Cavendish Bentinck to be Governor and Commander-in-chief of the fort and garrison of Fort William and of the town of Calcutta, is also read.

Ordered, that the following proclamation be issued, and that the usual guard be ordered to attend the sheriff on the occasion of proclaiming the new Governor General.

#### Proclamation.

Whereas the Right Hon. William Cavendish Bentinck, Knight Grand Cross of the Most Hon. the Military Order of the Bath, commonly called Lord William Cavendish Bentinck, Member of his Majesty's Most Honourable Privy Council, hath been appointed by the Hon. the Court of Directors to be Governor General of the presidency of Fort William in Bengal, and whereas General the Right Hon. Lord Viscount Combermere, Knight Grand Cross of the Most Hon. Military Order of the Bath, hath been appointed Commander-in-chief of all the forces of the Hon. the East-India Company in the East-Indies, and one of the counsellors of Fort William aforesaid, and William Butterworth Bayley, Esq., has also been appointed counsellor of the said presidency, and whereas Sir Charles Theophilus Metcalfe, Bart., has, under the orders of the Hon. the Court of Directors, dated the 12th April 1828, succeeded as a provisional member of the said council, the

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said appointments are hereby notified, and it is further proclaimed that the Right Hon. Lord William Cavendish Bentinck has, on the day of the date hereof, received charge of the said office of Governor General, and taken the usual oaths and his seat accordingly, and that William Butterworth Bayley, Esq., and Sir Charles Theophilus Metcalfe, Bart. (his Excellency the Commander-in-chief being absent on a visit to the upper stations of the army) have respectively taken their seats at the board as counsellors of the said presidency.

By order of the Right Hon. the Governor General in Council.

(Signed) H. SHAKESPEAR,  
Offg. Chief Sec. to Govt.

Fort William, July 4, 1828.

(Here follow the commissions.)

Ordered, that the above proclamation and commissions be formally read at the head of the troops in Fort William, under a salute of nineteen guns and three volleys of small arms.

Ordered, that the above proclamation and commissions be read with the usual ceremonies at the head of the troops in the different garrisons and at the several military stations of the army.

WM. CASEMENT, Lieut. Col.  
Sec. to Gov. Mil. Dep.

*Fort William, July 4, 1828.*—The Governor General has been pleased to make the following appointments:—

Mr. Archibald Dobbs to be private secretary to the Governor General.

Capt. Anthony Troyer to be military secretary to the Governor General.

#### COURT-MARTIAL.

PRIVATE J. JOYCE.

*Head-Quarters, Simla, June 25, 1828.*  
—At a General Court-Martial re-assembled at Cawnpore on the 2d June 1828, private John Joyce, of Capt. Matthew's company, H.M.'s 38th regt., was arraigned on the following charges:

*Charge 1st.* For mutiny, in having, about nine o'clock in the morning of the 11th April 1828, at Cawnpore, in the quarters of Lieut. and Adj. Campbell, H.M.'s 38th regt., attempted the life of the said Lieut. and Adj. Campbell, by presenting at him a musket loaded with powder and ball, and drawing the trigger, when the priming burnt in the pan.

*2d.* For having, at the same time and place, after having been disarmed and secured, made use of highly mutinous and grossly abusive expressions to Lieut. and Adj. Campbell, and Lieut. Col. Frith, C.B., H.M.'s 38th regt., his commanding officer.

The whole or any part of the above being in breach of the articles of war.

Upon which charges the court came to the following decision:

*Finding.*—The court having maturely deliberated upon the evidence before them, are of opinion, that the prisoner, private John Joyce, Capt. Matthew's company, H.M.'s 38th regt., is guilty of both the charges exhibited against him.

M

*Sentence.*

*Sentence.*—The court having found the prisoner guilty of both the charges exhibited against him, and the same being in breach of the articles of war, do sentence him, the prisoner, private John Joyce, Capt. Matthew's company, H.M.'s 38th regt., to suffer death, by being shot to death by musketry, at such time and place as his Exc. the Commander-in-chief may be pleased to direct.

Approved and confirmed.

COMMERMIER, Gen., Com.-in-chief.

Remarks by the Right. Hon. the Commander-in-chief.

The gross act of mutiny, and the cool and deliberate attempt at the murder of his officer, of which crimes private John Joyce has been found guilty, can only be expiated by the execution of the sentence which has been justly passed upon him.

The Commander-in-chief has had frequent occasions to prove that the regulations of the service to which the prisoner belongs, whereby redress afforded to every soldier who considers himself aggrieved by his officer, have been scrupulously complied with; a supposed grievance, if it had incited the prisoner to the acts for which he has been condemned to death could not therefore have palliated his crimes, as he must have known that redress was open to him by an appeal either to his commanding officer or the general officer at the station. But his Excellency is satisfied, from his knowledge of the character of the officer whose life has been placed in such imminent danger, that no real cause for revenge could have existed; he is therefore led to believe that the act must have suggested itself to the prisoner, as he himself states in his defence, when he was stupified by four or five days continued excessive drinking, though it does not appear in evidence that he was intoxicated at the moment.

It must, however, be well known that drunkenness, by which a man voluntarily deprives himself of his reason, is a vice which rather aggravates than diminishes the criminality of any illegal act which may follow it. As an awful example to others, therefore, of the effects of habitual excessive drinking, his Excellency directs that the sentence of death, to which this man has been condemned, shall be carried into execution, in conformity with a warrant and instruction transmitted for the purposes to Major Gen. S. F. Whittingham, and that this General Order shall immediately after its receipt be read at the head of every regiment of H.M.'s service in India, and on the following day at the head of every troop or company in the service.

To prevent the commission of such atrocious crimes of which the prisoner has been found guilty, his Excellency desires that in all cases where a soldier may be

discovered to have exceeded the bounds of sobriety, he may be placed in confinement, and kept there until he is perfectly restored to reason. Had this precautionary measure been attended to in the present case, the life of a fellow creature would in all probability have been saved, and the Commander-in-chief would have been relieved from the performance of a painful duty.

The foregoing order to be entered in the General Order book.

## CIVIL APPOINTMENTS.

### *Territorial Department.*

June 19. Mr. Hunter, collector of Midnapore.

27. Mr. M. McMahon, assistant to secretary to Board of Revenue in Lower Provinces.

Mr. S. G. Smith, assistant to collector of Bareilly.

July 4. Mr. C. D. Russell, Collector of Rungpore.

Mr. S. M. Boulderson, collector of land revenue and customs at Bareilly.

Mr. G. F. Thompson, deputy collector of land revenue and customs at Bareilly.

Mr. F. H. Robinson, sub-collector and joint magistrate of Pilibhct.

17. The Hon. R. Forbes, assistant to secretary to Board of Revenue, in western provinces.

### *Judicial Department.*

July 10. Mr. C. G. Mansell, register of Zillah Court of Agra.

Mr. T. P. Woodcock, assistant to magistrate and to collector of Midnapore.

Mr. S. G. Smith, assistant to magistrate of Bareilly.

## ECCLESIASTICAL APPOINTMENT.

July 17. The Rev. R. Arnold, district chaplain at Bareilly.

## MILITARY APPOINTMENTS, PROMOTIONS, &c.

Fort William, July 1, 1828.—Assist. Surg. A. Gilmore app. to medical duties of civil station of Nuddeah, v. Downes proceeding to Europe.

July 3.—2d Europ. Regt. Lieut. D. Birrell, to be capt. of a comp., and Ens. D'A. Johnson to be lieut., from 13th June 1828, in suc. to Bolton dec.

50th N.I. Ens. John Macdonald to be lieut., from 27th June 1828, v. Hunter transf. to Pension estab.

50th N.I. Ens. C. C. Dunbar to be lieut., from 3d March 1828, v. Kelly dec.

Cadets A. B. Morris and G. A. Nicholetts admitted to infantry, and prom. to ensigns.

Mr. John Inglis admitted an assist. surgeon.

Surgeon H. P. Saunders permitted, at his own request, to resign service of Hon. Company.

Lieut. H. N. Pepper, assistant to Capt. Drummond, superintendent of roads in Saugor and Nerbudda territories, placed at disposal of Com.-in-chief.

Assist. Surg. Jas. Goss, attached to civil station of Beerbhoon, placed at disposal of Com.-in-chief, in compliance with his solicitation to return to military branch of service.

Lieut. E. Archbold, sub-assist. com. gen., directed to officiate as deputy paymaster at Benares until relieved by Lieut. Clayton.

Head-Quarters, June 11, 1828.—Lieut. W. James to act as adj. to 68th N.I. during absence of Lieut. Maling; dated 23d April.

Lieut. Interp., and Qu. Mast. R. R. Margrave to

to act as adj., and Lieut. F. B. R. Oldfield to act as interp. and qu. mast. to 25th N.I. during absence of Lieut. and Adj. Vanrenen on general leave; dated 22d April.

56th N.I. Lieut. Interp., and Qu. Mast. J. C. Lumadaine to be adj.—Lieut. and Adj. G.A. Mee to be Interp. and qu. mast.—Lieut. Mee's app. will be considered cancelled should he not be reported qualified at half-yearly examination in January 1829.

July 12.—Lieut. C. E. T. Oldfield to officiate as Interp. and qu. mast. to 5th L.C. during absence, on duty, of Lieut. J. Bott; dated 28th May.

July 14.—Lieut. A. Innes to act as adj. to 3d L.C. during absence of Lieut. and Adj. Christie; dated 1st June.

Lieut. D. Ewart to act as adj. to 1st brig. horse artillery, v. Lieut. Mackay in charge of pay office; dated 5th June.

Fort William, July 9, 1828.—Cadet Arthur Hill admitted to cavalry, and prom. to Cornet.

Cadets Wm. Richardson, Wm. Rogers, W. R. Barna, Alex. Gillanders, F. Bevan, J. C. Dougan, Geo. Pengree, and H. M. Nation, admitted to infantry, and prom. to ensigns.

Mr. J. D. Thorburn admitted an assist. surgeon.

July 11.—59th N.I. Ens. G. W. Stokes to be lieut., from 2d July 1828, v. Dunbar dec.

Assist. Surg. Wm. Dyer to be surgeon, from 3d July 1828, v. Saunders resigned.

Capt. G. D. Stoddart, 8th L.C., to be major of brigade on establishment, v. Fell.

Mr. A. Colquhoun admitted an assist. surgeon.

Lieut. Col. J. Auriol, 9th N.I., and Capt. W. Hodgson, 26th N.I., transferred, at their own request, to invalid establishment.

Capt. Jas. Franklin, surveyor of iron mines in Sauror and Nerbudda districts, having been permitted to visit presidency, placed at disposal of Com.-in-chief from 31st July, the date on which his appointment ceases.

Head-Quarters, June 17.—Maj. J. Aubert app. to charge of 10th N.I.

Ens. H. H. Say, 45th N.I., announced as having passed prescribed examination in Persian and Hindoostanee languages.

June 19.—Capt. R. Blackall app. to charge of 2d Nusseree Bat. until further orders.

June 23.—Lieut. A. Spens to act as Interp. and qu. mast. to 6th Extra N.I., during absence of Lieut. Beresford.

Assist. Surg. C. M. Macleod app. to 20th N.I., and directed to join right wing at Shahjehanpore.

Lieut. W. Thursby to officiate as Interp. and qu. mast. to 5th N.I. during absence of Lieut. Cathcart; dated 14th June.

June 24.—Lieut. John Bott, Interp. and qu. mast. 5th L.C., having passed prescribed examination in Persian and Hindoostanee, exempted from future examination.

Fort William, June 11, 1828.—Maj. Gen. the Earl of Carnwath, H.M.'s service, having returned to India, app. to general staff of presidency of Fort St. George.

July 18.—Infantry. Major St. John Heard to be lieut. col. from 11th July 1828, v. Auriol transf. to invalid estab.

24th N.I. Capt. C. F. Wild to be major, Lieut. J. T. Savary to be capt. of a comp., and Ens. E. T. Spry to be lieut., from 11th July 1828, in suc. to Heard prom.

26th N.I. Lieut. J. W. Dunbar to be capt. of a comp., and Ens. J. H. Le Feuvre to be lieut., from 11th July 1828, in suc. to Hodson transf. to invalid estab.

3d Extra N.I. Ens. G. Dod to be lieut. from 20th June 1828, v. Pollock dec.

Capt. Walter Badenach, 57th N.I., to be a major of brigade on this estab., v. White prom. to a regimental majority.

Lieut. Jas. Higginson, 68th N.I., to be an aide-camp on personal staff of Governor-general.

Head-Quarters, June 25.—Lieut. S. W. Bennet to act as adj. to a detachment of artillery, under

orders to proceed to Upper Provinces; dated 1st June.

Lieut. H. Moore to act as Interp. and qu. mast. to 34th N.I., in room of Lieut. Lyons app. to act as adj.; dated 10th June.

Lieut. H. M. Graves to act as adj. to 16th N.I. during absence, on duty, of Lieut. and Adj. Macan; dated 31st May.

Officers returned to duty, from Europe.—Capt. Jas. Johnson, regt. of artil. on 30th June 1828.—Capt. F. Mackenzie, 64th N.I., on 6th July.—Lieut. G. C. Ponsonby, 2d L.C., on 8th July.—Surg. John S. winey, on 8th July.

#### HIS MAJESTY'S FORCES.

Head-Quarters, June 10, 1828.—Lieut. P. Paterston, 6th F., to be capt. 1y brevet in East-Indies only, from 27th Aug. 1824.—Lieut. J. O'Gorman, 31st F., to be ditto ditto, from 29th April 1828.

#### FURLOUGHS.

To Europe.—July 1. Assist. Surg. E. T. Downes, for health.

To Penang.—July 9. Superintending Surg. Skipton, for health (also to Singapore, and eventually to New South Wales), to be absent 18 months.

#### HIS MAJESTY'S FORCES.

To Europe.—June 23. Lieut. Magan, 13th I. Dr., for health.—Lieut. Ainslie, 4th I. Dr., on private affairs.—Lieut. Moorhouse, 13th I. Inf., on ditto.

#### LAW.

##### SUPREME COURT, July 12.

Rev. James Bryce, D.D., v. Samuel Smith. In this action for a libel, the Advocate General, for the plaintiff, exhibited a plea filed by the defendant in justification, which consisted of 1,780 folios; he thought he ought to move that the plea be referred to the prothonotary to strike out the superfluous matter.

Mr. Tutton, for the defendant, said that as the court had held the former pleas bad because they alleged generally that it was incompatible with the character of a clergyman to be engaged in the multifarious topics which fill a newspaper, it had been necessary to amend them, by specifying the topics, and setting out the articles themselves which were incompatible with the clerical character.

The Chief Justice expressed his astonishment at such voluminous pleas filed in justification of such a libel; nothing could be shorter or less intricate than the matter complained of; he had never heard of such a justification.

The Advocate General said that the office copy before him, which was printed, made a perfect volume. In the first place, there was a large collection of matter reprinted from the English newspapers, purporting to be an account of different pugilistic fights, in order to shew the immoral conduct of the plaintiff, who is a proprietor of the newspaper. Then there was a selection of trials reprinted from the English papers, some for breach of promise of marriage, others for criminal conversation, and police reports; also advertisements of books



books for sale in the shops of different booksellers; it was with this kind of matter the pleas were lengthened out to justify the publication of a libel on the proprietor of the paper.

On the suggestion of the court, the Advocate General took time till next term to consider whether it would not be better to demur to the pleas at once. In case of his persisting in his present motion, the Chief Justice said that the court would take upon itself the office of striking out the superfluous matter, and not delegate it to the prothonotary.

July 9.

Mr. Turton moved for a writ of habeas corpus to bring up the body of Goluck Chunder Bonnergee, who had been confined in the town guard since the first of July (on a charge of passing a forged note), and have him admitted to bail. He had been examined and was remanded for further examination. The grounds on which he moved was an affidavit of Goluck Chunder Bonnergee, stating that in the place of his present confinement he was unable to take his usual sustenance, and that if he was still confined there, he believed it would prove fatal to him. He also stated that he was a Hindoo of high caste, and that in the place of his confinement he was obliged to associate with Mussulmans and other persons, which is prejudicial to his caste. Mr. Turton contended, that when there was a regular place of confinement, the prisoner should be sent there.

A long discussion ensued as to the propriety of admitting him to bail. In the sequel, the court refused the writ from want of sufficient grounds.

July 2.

*Becky Fesa Fenissa v. Plowden.*—This was an action of trespass against the late sheriff of Calcutta for entering the plaintiff's premises and selling her goods. The premises were situated at Munnipoor, and had formerly belonged to Shaik Abdoola, the son of the plaintiff.

The principal facts proved were, that the plaintiff had purchased the premises from the Shaik Abdoola for 25,000 sicca rupees, which sum she had paid to Messrs. Alexander and Co., the agents of her son. They sent the title deeds, and all the papers relating to the property in question, and which had been left in their hands as security for money advanced to the Shaik Abdoola, to Mr. Wodsworth, her attorney, with directions to hold them at the disposal of the plaintiff. The deed of sale from her son to the plaintiff was drawn by Mr. Wodsworth, and by direction of the Shaik Abdoola; it was subsequently executed, and the consideration money paid. It was proved that, on her sending a person to

examine the premises, Messrs. Alexander and Co.'s sircar returned to Calcutta, that the sheriff had, some time after, entered the premises, and sold several articles which the plaintiff alleged to be hers. It was also stated that she had laid out 10,000 sicca rupees on improving the house and grounds. It appeared that Alexander and Co. held a deed of mortgage of the lands of Munnipoor, dated prior to the deed of sale made to the plaintiff, which deed had been given up to Mr. Wodsworth for the plaintiff; but afterwards got into the hands of her son, to whom a further advance was made on it. It appeared, on cross examination of the plaintiff's witnesses, that the son had directed Mr. Wodsworth at the same time to draw other deeds of transfer of various properties from him to his mother, with deeds of release of the same from her to him again, and amongst others of the property of Munnipoor. But it appeared that a deed of release had never been executed. It was shown that the Shaik Abdoola had, after the sale, lived in the premises, and managed the property; but it was proved to have been under a mookteer amma made by the plaintiff to him. It appeared also that the persons who lived in the premises after the departure of Messrs. Alexander and Co.'s sircar, were the servants of Shaik Abdoola, or had left his service immediately before.

The Chief Justice was of opinion, that the question to be decided was the plaintiff's right of possession. In this country, where not only the personal property of a defendant, but also the fee-simple of ground, was liable to be taken (if such could here exist), that the entry of the sheriff put an end to all tenancy at will; so such tenancy could be no obstacle to entry and seizure. The defendant was a British subject, so must be tried by British law. It had been stated in argument, that where persons have dealings with Hindoos or Mahomedans, any questions at issue between them must be decided according to the Hindoo or Mahomedan law; but such practice would be inconsistent with the charter, and with the 21 G. III. c. 70, which say, that all actions must be decided according to the law of the defendant. "Suppose," said his Lordship, "a person had dealings (as is not uncommon in this country), jointly with a Hindoo and Mussulman, is he to be bound by the laws of both? I think, that where the action is between a British subject and an inhabitant of this country, it must be decided according to the law of the defendant. Then, if we are to try this case according to the British law, the plaintiff had no legal possession; for it was in February 1824 that the Shaik made the conveyance to his mother, when at the very time it was mortgaged to Messrs. Alexander

ander and Co. by deed dated the 23d of September 1823, and which property was not legally released (if at all) till August 1824. If we believe the evidence of the plaintiff's witness, she became tenant at will in March 1824 to Messrs. Alexander and Co. I do not think that there has been sufficient proof of legal possession given; but if she was in possession, she could have only become tenant at will to her son Shaik Abdoola, as his former act could have no legal effect; and then, for the reasons I have before stated, the sheriff would be justified in entering and seizing." His Lordship said, that in this country it was so easy to cheat creditors, that it was necessary for the court to examine particularly into this case, and be satisfied that it was an actual and real sale of property from the shaik to the plaintiff. It appeared that the transaction was fraudulent on the part of the Shaik Abdoola, and there had been nothing done on the plaintiff's part to set it straight. There was another suspicious feature in this case; Mr. Wodsworth had drawn several deeds of conveyance of properties to the plaintiff and releases of them to the Shaik Abdoola, and amongst others of the Munni-poor estate, and if the sale was to have been a real and actual one, what was the occasion for drawing such a release. His Lordship remarked, that it appeared from the evidence that the plaintiff, unlike other Mahomedan women, wrote her own letters, and in a great measure transacted her own business. She found Messrs. Alexander and Co.'s sircar in the premises, and she might have known that they must have had some security on them; such securities are not unknown to the Mahomedan law; she did not, said his Lordship, take those means which she might (if the transaction was real) to ascertain what their claim was. His Lordship thought the case a very lame one; that the plaintiff had neglected to do that which she might have done; and from the unsatisfactory evidence adduced on her part, he thought the plaintiff should be nonsuited.

The other judges went into the case at some length, and were of the same opinion.

## MISCELLANEOUS.

### RUNJEET SINGH.

We have already given a few particulars of the mission sent last year to Runjeet Singh; the following more exact details, which are given in the *India Gazette*, are sufficiently curious to deserve insertion:—

On their route to Amritsair, the mission were kindly received by Futy Singh, a rajah of some consequence, who formerly had been at variance with Runjeet, but between whom a reconciliation had taken

place. After leaving Loodianha, and crossing the Sutlege, the road for the most part is sandy and heavy for cattle; but the country is well wooded, and in some parts slightly undulating. Several little filthy towns, with very narrow streets, but containing pukka buildings, lie along the route, and as the traveller advances the aspect of the country becomes more elevated and populous. A short distance from the town of Kapathalah, the mission were met by a deputation from Futy Singh. The cortège was formed of four or five elephants, escorted by 250 ill-mounted and ill-dressed horsemen, who formed a street for the mission to pass through. They escorted the mission to their encampment, and in the evening Futy Singh paid a visit to the mission, which was a few hours afterwards returned. The mission were received in a very large fine garden, in which was a good upper-roomed pukka house, apparently having several sides or wings. The *levée* was not altogether of a very splendid order: the most conspicuous present was Sirdar Jewalla Singh, cavalry chief, commanding 1,500 men. He wore a white turban, fitting tight to the head, and which rose in a somewhat conical form in front, round which was a blaze of gems, and from which hung a large globular emerald. In the turban slanting to one side there was a slender plume of heron feathers, chastely united at the end by three golden sprigs. Round his neck he wore a double row of large beautiful pearls: alternately at each sixth pearl an emerald of about half an inch square intervened. This necklace was fitted tight to the neck, while another larger and more valuable (also a double row) hung loosely round his breast. None of the pearls was less in size than a large English pea. On each arm he had a splendid armlet, composed of three emeralds of about an inch square, imbedded and connected with a cluster of diamonds, rubies, and pearls. His wrists were also decorated with massy gold bangles, profusely set off with flat diamonds. The folds of his vest were secured at the breast by a golden clasp with a profusion of diamonds. His sword was surmounted by a golden handle. His nether garments were in strict conformity to Punjaub dandyism, and contained about fifty yards of fine cloth. The town of Kapathalah is small and dirty, and but thinly inhabited. Many of the buildings appeared in a state of dilapidation, and others seemed but half built. In the rains the entire of the country, as far as the Hyphasis, is one sheet of water, and communication between different places is generally carried on by means of boats. The present channel of the Hyphasis is about 300 yards broad, but the extreme width in the rains cannot be less than a mile and a quarter. The current

current of this river is very slack, and the depth varies from five to ten feet.

On the last march to Amritsir, the mission were met at daybreak by a large procession from the court composed of some hundreds of horse and foot, with many of the nobles, and headed by Shere Singh, Runjeet's second son, a handsome looking young man, about twenty-six years of age, and five feet eight inches high. He is a stout, short necked, well proportioned, and strong looking man, with a rather fair complexion. His countenance is handsome, with a somewhat haughty expression. He is not suspected of being too cordial towards the English. The young prince and his nobles were mounted on elephants, their elegantly caparisoned steeds being led. All the persons forming the procession wore a costume of the same colour, viz. bright amber, which had a rich effect. The young chief and many of the courtiers wore their golden plumes and some the heron plume on the right side of the turban which slightly inclined forward. Shere Singh's state elephant was not the least conspicuous object in the pageant. The fine animal had round his neck a costly collar of embossed gold, divided into circles of about eighteen inches in circumference and linked together. These golden circles were somewhat convex in shape, and reached as far as the elephant's chest: from each ear also depended rolls of thickly twisted gold cord. The jowl was made of the finest crimson velvet, profusely embroidered with gold; this was surmounted by a richly and chastely embossed gold howdah.

Next day the British mission went in state to pay a visit to the Maha-Rajah. The officers of the mission were mounted on elephants, preceded by the troops of cavalry, and the rear was brought up by the company of infantry forming the other moiety of the escort. On their way to the palace, situated in the rambaugh, they were met by Rajah Dhan Singh, brother-in-law of Runjeet, handsomely accoutred in a coat of highly polished steel mail. Dhan Singh is about twenty-seven years old, and very handsome. A body of lancers now approached and divided itself on either flank of the mission, and in this manner accompanied it to within two hundred yards of the outer gate of the palace, where it was received into a street composed of a battalion of infantry and a regiment of dismounted cavalry. Immediately at the head of this military avenue, and as the mission turned into the palace, were placed two pieces of horse artillery, which gave a very tolerable salute. The mission proceeded across a bridge into a kind of court yard or open space, when the escort remained while the British gentlemen entered the second gateway into the garden, in the centre of which is the palace. The

walk leading to it from the gate is wide and paved, and on this occasion was lined on each side by scarlet cloth kannauts. At certain intervals there were suspended over-head handsome canopies of shawl and cloth. When within twenty yards of the palace the gentlemen of the mission dismounted from their elephants. From the place at which they dismounted to the presence there was a dais of fine cloth. The Maha-Rajah sat in state in a large open room or verandah, which was carpeted with a shawl, and over head was a beautifully worked shawl canopy. On the near approach of the gentlemen of the mission, the ruler of Cashmere arose and advanced some steps to meet Capt. Wade, whom he embraced, after which the other gentlemen in succession paid their compliments to Runjeet, always, however, keeping the head covered. They then took their seats on silver chairs with crimson and yellow velvet cushions, Runjeet in an elegant gold embossed chair. After a short pause they were each separately introduced to the Maha-Rajah by one of the ministers. After this ceremony the Governor-General's letter was read in open court, which appeared to afford the most lively satisfaction to all, especially Runjeet himself. Shere Singh appeared thoughtful or indifferent, while a smile of dubious meaning for the most part passed over his lips. After the letter was read, Lord Amherst's presents were displayed and pronounced to be handsome. Among them were two English stallions, a four-barreled gun, a musical dressing case, &c. There was a quantity of shawls also, which perhaps the sovereign of Cashmere held less in estimation than articles of a more exotic nature. There was also a handsome and valuable head-piece for the Rannce, an elephant with a silver howdah, &c. On the right of the Maha Rajah sat the son of Dhan Singh, a pretty looking child, about five years of age, who appeared almost oppressed with his gorgeous and glittering garnishings; for diamonds, emeralds, and pearls appeared to be so studied and heaped upon the boy's person that he seemed more like a basket of gems than a young courtier. Magnificence here was evidently unaided by a correct taste. On the left was seated the son of Futty Singh, already mentioned, a well-grown youth, about fifteen years of age: his dress was perhaps not less costly than the others; but a more happy and less cumbersome arrangement of jewels gave a greater degree of elegance to his appearance. On the second seat from the right sat the brother of Doodh Singh, the distinguished hero of Attock: on the second seat from the left sat the rajah's second son, Shere Singh, and the only one of his sons present. He, as well as the other princes and chiefs, were most magnificently dressed, and

and ornamented with valuable jewels, each appearing to vie with the other in splendour of dress and decoration. The court dress was of a rich yellow colour, which added to the imposing effect. The old chief himself was, if possible, the most gorgeously arrayed of all. In the centre of Runjeet's turban there was a costly ornament composed of various jewels, which were so arranged as best to set off each other: from this there was suspended by a small gold link a diamond of vast beauty and magnitude, in shape and size somewhat resembling a pigeon's egg. On his neck, and reaching low down his bosom, he had a most beautiful pearl necklace: at the centre were ten of the size of musket bullets, decreasing at the sides till reduced to the size of pease and none less. He had a smaller pearl necklace, a collar that fitted close to the neck, with pearls of the like size; and his wrists and ankles were similarly adorned: on his shoulders, and reaching quite across in much the same manner as the wings of a light infantry officer, he had three rows of diamonds the size of the end of one's finger. Round his loins was girded a glittering zone of rubies, emeralds, diamonds, and pearls, and in this girdle was stuck a dagger, ornamented to correspond. His shield was in harmony with all this magnificence. Rather above the wrist he wore a kind of bracelet of beautifully lucid large diamond drops. There was a singular etiquette observed in regard to the distribution of the seats of honour. Raja Dhan Singh, Runjeet's great favourite, was seated on the ground after the oriental fashion, while his child sat on a chair (an honorary distinction). The same favour was granted to Boodh Singh's brother, who sat in a chair on the left, while the conqueror of the Attock himself was seated on a carpet. None of the European officers in Runjeet's service (Ventura, Allard, &c.) were present at this durbar. On inquiry as to the cause of their absence, the reason given evinced a delicate and generous consideration on the part of the Maha Rajah. These officers being his servants, it was not consistent with etiquette that they should sit in the presence, and rather than that they should seem degraded in the eyes of the mission, or have their feelings wounded, their presence on this occasion was dispensed with.

The city of Amritsir is about four miles in circumference. It is situated about 400 yards S.W. from the rambaugh or palace, the space between being clear. A canal runs between the town and the rambaugh; it appears to be very narrow, and not above four feet deep: it is supplied from the river Ravee. The town seems exceedingly populous. The approaches are capable of being rendered formidable; but did not

appear so when the mission resided there. The walls of the town are of thick mud, about seventeen feet high: at some points there is a double and at others a triple wall. The houses are all pukka. The streets are dirty, and have any thing but the odour of the Cashmerian rose. The most sacred temple of the Sikhs is the *Hunnundah*, the religious rites of which are performed by a set of military religious devotees, whose fanaticism leads them at times into most extravagant excesses. The insolence of these devotees, or *Accallees*, as they are called, is such as sometimes to manifest itself to Runjeet himself personally, who however, for the sake of popularity, frequently permits their turbulence to go unpunished. There is a body of about 1,500 of these armed priests. There are no images to be seen in the Sikh temples. The *Hunnundah* is elaborately ornamented and furnished.

#### CADETS.

More than one correspondent has called upon us to notice the alteration which appears to have been recently made in the wording of the passage in the letters of the Honourable Court appointing cadets in this country. The words now employed are, "provided he is not the son of parents of whom either one or both are of pure unmixed native extraction?" We understand this to mean simply, provided that neither his father nor mother is a native in the sense in which that term is usually understood: an aboriginal native. One correspondent thinks it would exclude the child of an officer by a country-born lady, which the words formerly used, "if he is not the son of a native woman," would not. We do not concur in this opinion; and as our interpretation is more consistent with liberality, justice, and sound policy, we hope it is correct. If it were deemed advisable to exclude the son of a native woman, surely it can hardly be complained of that the son of a native man should be excluded.—*Ben. Hurk., June 3.*

#### BISHOP HEBER'S LETTERS.

We extract the following very extraordinary passage from the correspondence of the late Bishop Heber. We have before now expressed our regret, that the worthy and lamented prelate's crude and unformed notions on the state of society in this country should have ever been given to the world; and it is impossible to peruse the following philippic against "tradesmen," "ship-builders," and "indigo-planters," and not acknowledge that there are too good grounds for this regret. That Bishop Heber, writing in an off-hand friendly way, to the Dean of St. Asaph, should give vent to the impressions of the moment, is nothing wonderful; but such a man,

man, had he lived to speak himself, though the medium of the press, would have considered and re-considered, before he ventured on drawing the following picture of a large class of his countrymen in the east:—

“Many of the adventurers who come hither from Europe are the greatest profligates the sun ever saw: men whom nothing but despotism can manage, and who, unless they are really under a despotic rule, would insult, beat, and plunder the natives without shame or pity. Even now many instances occur of insult and misconduct, for which the prospect of immediate embarkation for Europe is the most effectual precaution or remedy. It is, in fact, the only control which the Company possesses over the tradesmen and ship-builders in Calcutta, and the indigo-planters up the country.”

Towards the poor indigo-planters, the late Bishop appears to have had a great antipathy. “The indigo-planters,” says he, “are chiefly confined to Bengal”—a piece of intelligence which must be new to our readers—“and I have no wish that their number should increase in India. They are always quarrelling with, and oppressing the natives, and have done much in those districts where they abound to sink the English character in native eyes. Indeed the general conduct of the lower orders of Europeans in India is such, as to shew the absurdity of the system of free colonization which W. is mad about.” We are persuaded no one who reads this indiscriminate censure on a class of men, undoubtedly both useful and respectable as a body, but will regret to see it from the pen of Bishop Heber.—*Cal. John Bull*, July 23.

#### EARTHQUAKE.

Yesterday morning Calcutta was visited by an earthquake. The shocks were three in number, and occurred exactly at two minutes before two o'clock A.M. They were felt in town and in the neighbourhood by a great number of people, whose accounts concur in representing the shocks as particularly smart, and far more severe than any that have been felt for many years. The vibrations appeared to proceed from east to west, and lasted altogether nearly two minutes and a half.

On this subject a correspondent writes us as follows:—“A shock of an earthquake was very sensibly felt in Chowringhee at about two minutes after two o'clock in the morning of yesterday, the 8th instant. The motion appeared to be from east to west, and the duration of the earthquake was not less than two minutes. Many persons were awakened by it, and the noise made by the crows at roost in the trees, proved how much they were annoyed

by the unusual disturbance.”—*Cal. John Bull*, July 9.

Extract of a letter dated Mymensingh, July 8.—“About half-past two o'clock this morning, we were alarmed by a severe shock of earthquake. There were three vibrations moving apparently from north to south, within about eight seconds, the last being by far the severest; the noise of the beams over head was truly alarming, they creaked and seemed to grind against the wall in a most appalling manner. Another shock, of a single and very slight vibration, took place about twelve minutes afterwards, and made every one run out of doors. There has been continued rain since the 1st of the month till yesterday morning, when it ceased, and we have only had one or two showers since. The thermometer in the house has ranged during this time from 78° to 84°.”

Extract of a letter from Sylhet, dated 8th July 1828.—“Last night we experienced a smart shock of an earthquake, which lasted about half a minute: I was awake, and observed the time per chronometer:—

	H.	M.	Sec.
July 7th .....	14	25	30
Past .....		10	43
Mean time ...	14	14	41

Thermometer 80° 5', barometer 29 in. 90. Weather cloudy, and rain fallen lately in unusual quantity. The above time is true from the beginning of the earthquake, and was observed within a minute of it; allowance was made for interval.”

#### NEW CUSTOM HOUSE REGULATIONS.

We understand that a meeting of a number of the mercantile body was held at the office of Palmer and Co., on Tuesday last, when the new custom-house regulations, which have for some time past been receiving their undivided attention, underwent discussion. There are few, if any of them, in which alteration is not suggested; and some of them, as they now stand, are said to be so singularly preposterous in themselves, as to bear evident marks of great hurry and carelessness in those who drew them up; the power which it is proposed to confer on the officers of the custom house, even very subordinate ones, of summoning and compelling the attendance of witnesses, and administering oaths, are said to be peculiarly obnoxious.—*Cal. John Bull*, July 24.

#### AFFRAY AT AN INDIGO PLANTATION.

A report has reached town, that an indigo planter at Tapakhoolah, contiguous to Furreedpore, in zillah Jaulah,\* has been

\* Supposed to be Tippacalla, zillah Dacca Jelapore.

been assaulted by a body of natives, and most cruelly mutilated, having had his nose and ears cut off.—*Beng. Hurk.*, July 11.

The *Hurkaru* of Friday mentioned that a report had reached town of an indigo-planter having been assaulted by a body of natives, and mutilated in a cruel manner; his nose and ears being cut off. We believe that the report will be found correct in regard to the assault, but erroneous as to the mutilation. A letter from the servant of a native gentleman—an extract from which he was kind enough to read to us—stated that the ryots, instigated by some acts of oppression towards them, had assembled to the number of several thousands, and beaten the indigo-planter in question, with his assistants; and on the magistrates going to investigate the matter, they without hesitation admitted that they had been guilty of the assault, and stated that they were perfectly willing to go to prison for what they had done, if accommodation could be found for all of them, as all were concerned in the matter; but added, that overhearing conduct towards them had compelled them to act as they had done. No mention is made of any violence having been done beyond the obnoxious individuals having met with a sound drubbing.—*Cal. John Bull*, July 14.

#### RESISTANCE TO A MAGISTRATE.

It appears from the *Calcutta John Bull* of July 14, that the magistrate of Baraset acting under an order of the zillah court, in removing a naib from some land awarded nine years ago to the zemindar in possession, and in endeavouring to place another naib in his stead, was resisted with his peons, and maltreated. The matter had been brought under the notice of Government.

#### BENGAL MARINERS' AND GENERAL WIDOWS' FUND.

The eighth annual meeting of this institution was held on the 14th July, when the following statement of the fund was submitted.

##### Statement of the Fund.

By balance of last year, brought forward .....	Sa. Rs. 3,32,551
Received from members, advance and subscription in 2d class .....	9,870
Do. from do. do. in 3d class .....	1,657
Do. from new members, their entrance and subscription in 1st, 2d, and 3d class .....	54,958
Do. for childrens' Premiums .....	820
Do. donation from the Government, from 1st July 1827 to 30th June 1829, 12 months at 500 per month ..	6,000
Do. from Mrs. Baile .....	50
Do. interest on Government loans and securities, and upon mortgage ..	19,279
	<u>25,329</u>
	Sa. Rs. 4,26,106

#### Disbursements.

Pensioners for last year .....	56,099
Do. in London .....	9,545
Interest on Government loans purchased .....	5,207
Profit and loss .....	87
Contingencies, advertisement, printing, and postage .....	1,133
Establishment and management from 1st July 1827 to this day, including salaries and peon .....	1,560
	<u>73,633</u>
	Sa. Rs. 3,51,552

#### Invested.

Funded in Government loans .....	1,78,700
Do. in mortgage .....	51,794
Do. in bills receivable .....	97,470
Do. by Palmer, Mackillop, and Co. ..	23,355
Do. by bank of Hindoostan .....	244
Do. in cash .....	17
	<u>Sa. Rs. 3,51,552</u>

Interest on loans and mortgages due, not yet received .....	<u>15,206</u>
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The following resolution was passed: that all future subscribers to the first and second classes shall pay an admission fee of forty rupees each, and the subscribers to the third class the sum of twenty rupees, to the secretary for the time being.

#### NATIVE FEMALE EDUCATION.

The annual meeting of the Ladies' Society for promoting Female Education took place, June 17, at the palace of the Lord Bishop. Above 100 ladies were present: among the gentlemen who honoured the meeting with their presence beside the Lord Bishop were the Hon. the Chief Justice, Rajah Budinauth Roy, Baboo Cassinauth Mullick, and several other respectable native gentlemen.

On Mrs. James taking the chair the report was read. It stated the completion and occupation of the central school, and the collecting of the children who used to assemble in twenty-nine schools into four principal divisions, situated as near as possible at the exact distances, in four separate directions from the central school. The number of children in daily attendance only was reported, which was stated to be, at the central school seventy; at Shaum bazar, in the north-east quarter, eighty; and at each of the other three schools thirty; making a total of 240. This, though considerably below the number formerly enumerated, is considered by Mrs. Wilson as affording a more probable amount of actual benefit to the children under her care, as they all come almost daily under her immediate inspection, and their progress can be more accurately attended to. Four schools at Burdwan, in which about 100 girls assemble, are again revived under the care of Mrs. Deerr.

An expression of gratitude to the late lady patroness of the society, Countess Amherst, was introduced into the report, and the thanks of the committee expressed for the exertions of the vice patronesses in the upper

upper provinces, one of whom had remitted to the secretary upwards of 2,000 rupees, and others considerable sums. The expenses attending the finishing the central school and the support of the school establishment must, however, have pressed very hard upon the committee's funds but for a munificent donation of £1,000 made by the Church Missionary Society in addition to £500 reported last year.

After these proceedings, a subscription was entered into. The Lord Bishop gave £100 from funds placed at his disposal by the Society for promoting Christian knowledge, most of the native gentlemen contributed liberally, and in all about 2,000 rupees were added to the funds; after this a sale of fancy articles took place which realized above 700 rupees more. On the whole the scene was truly gratifying to a benevolent mind.—*Gov. Gaz.*

#### THE BISHOP OF CALCUTTA.

We are sorry to understand that the Bishop has been seriously indisposed since he left Calcutta on the visit to his diocese. His Lordship had been confined to his room for ten days at Moorshedabad.—*Gov. Gaz.*

We regret extremely to learn that the health of Bishop James continues still in a precarious and even dangerous state. An affection of the liver we understand to be his Lordship's complaint. By his medical attendants his Lordship has been advised to proceed to sea without delay; and the probability is, that England will ultimately be his destination.—*Orient. Obs. Aug. 3.*

Later advices state that the Bishop has returned to Calcutta.

#### LOANS.

The following official notices are given:

*Territorial Department, July 3, 1828.*—The public are hereby informed, that no further subscriptions will be received to the five per cent. loan, which was opened on the 18th August 1825: and the several officers who, by the advertisement published in the Government Gazette of the above date, were authorized to receive subscriptions to the loan in question, are hereby prohibited for granting any further acknowledgments for subscriptions tendered under the said advertisement, after the receipt by them respectively of the present notification.

It is hereby also notified and ordered, that promissory notes of the four per cent. loan, which was opened on the 13th Sept. 1824, are no longer to be received in transfer to a five per cent. loan, as authorized by the notification published 19th May 1825.

Notice is further hereby given, that the sub-treasurers of Fort William, Fort St. George, and Bombay, the several residents at foreign courts, and the several collectors of land revenue, will receive,

until further orders, any sums of money, in even hundreds, of Calcutta sicca rupees, which may be tendered in loan to the Hon. Company at an interest of four per cent. per annum; the conditions of the said loan to be the same as those of the five per cent. loan of the 18th August 1825, saving in respect to the rate of interest. Provided also, that the interest shall be paid in cash only, and not in bills on the Hon. the Court of Directors.

*Territorial Department, the 10th July 1828.*—Notice is hereby given, that all treasury notes, issued under the advertisement of the 26th July 1827, which may be still outstanding, will be discharged at the General Treasury on the 15th Aug. next, on which day the interest thereon will cease.

#### IRON BRIDGE OVER TOLLY'S NULLAH.

We understand that Government has presented the New Strand Committee of Management with a Shakespearian *pont roulant militaire*, and that it has been erected in Mr. Kyd's dock yard, preparatory to its being thrown over Tolly's Nullah, as a temporary expedient, to connect the new strand with Garden Reach, while the projected iron-bar bridge is being built.—*Cal. Gov. Gaz., July 7.*

#### COLLEGE OF FORT WILLIAM.

We understand that the College of Fort William will not be abolished, as rumoured some time ago. It is said, however, that some alteration will be made in its constitutions, so as to admit students of the military as well as of the civil service.—*Cal. John Bull, July 10.*

#### LEEVEE AND DRAWING-ROOM.

On Saturday morning, July 12, the Right Hon. the Governor General held a levee at the Government-house, which was numerously attended. After the presentations were over his lordship retired to the council chamber, where he gave private audience to such gentlemen as had previously requested that honour.

In the evening Lady Bentinck had her first drawing-room. The ladies generally wore large plumes of feathers, and the state apartments exhibited a scene of great gaiety and splendour.—*Cal. Gov. Gaz.*

#### THE DURBAR.

The Right Hon. the Governor-General held his first durbar on the 16th July, when the vakeels of native states resident at Calcutta, several of the principal native gentlemen and merchants of Calcutta, and a few strangers of distinction, were presented to his Lordship by Mr. Stirling, the Persian secretary. Amongst the most distinguished personages present on the occasion was Maharajah Sri Poosa-pati

pati Narain Gajapati Raj Behadoor, zemindar of Vizianagram, in the northern circars, who has lately left his estate on a pilgrimage to Jaganath, and for the purpose of visiting Calcutta. The rajah was invested by the Right Hon. the Governor-general with a rich and handsome khelaat of seven cloths, and three kinds of jewels. Khelaats were also conferred on the vakeel of his Majesty the King of Oude, and on the vakeels of the rajahs of Tippera, Durbunga, and Tickaree, on the occasion of their appointment.—*Ibid.*

#### NATIVE JURORS.

It has been stated to us, in regard to no Hindoo or Musselman having volunteered to sit on petty juries, to which they are eligible, that this proceeds from the notion that a slight has been put on the whole of them by the more influential among them being excluded from the grand jury; and that if disqualification were once removed, there are many who would come forward with good-will to offer their services on petty juries.—*Cal. John Bull, Aug. 1.*

#### INDIGO CROP.

*Booglah, July 10th, 1828.*—"Our concern (which comprises about a dozen factories) will have a crop this year nearly assimilating to that of the preceding. This, however, I am sorry to say, will not, generally, be the case in this district, as the rain at the commencement (towards the latter end of April) was very partial, and obliged many of our neighbours to sow their lands in a dry state. Indeed, many had not completed their sowings until the middle of May (for want of rain), which is considered quite a late period. This, combined with the rapid and unusual rising of the rivers, will involve many poor devils whose lands are unfortunately situated low: indeed, if the water continues to rise in the same manner that it has done for the last fortnight, we are not without fears of our high lands also. The old planters say they have not seen such an early inundation for some years back. Several friends near me have lost great quantities of fine plant from the latter cause; and I have heard of one whole factory being in the same sad predicament. Some few commenced manufacturing towards the latter end of May, but the majority about the middle of June. The chars (land left last year by the river taking a different course) from which we derive the most advantage, have partially failed in many places from the great lack of rain the last three months, and the early inundation. It is conjectured the crop in general, this year, will not realize an average one."

*Mymensing, July 17.*—"About this

time last month I had from 7,000 to 8,000 bigahs of fine promising plant, from which I fully expected to make 400 maunds. I did not commence manufacturing till the 1st instant, and by the 5th, finding my produce increasing, I increased my vats also, and as the river never rose more than an inch, and frequently only half an inch in twenty-four hours, I was led from appearances to entertain the most sanguine hopes of making a favourable season, late as my sowings were. On the night of the 11th, however, the river took a sudden start, and by the evening of the 12th, it had risen to no less than eighteen inches in twenty hours, which compelled me to work my vats double day and night, until yesterday, when, I am sorry to say, I have nothing left. The whole country is now in a state of inundation, and should the river rise four inches more, the water will absolutely be in my vats."

Although some of our indigo friends represent their own crops as pretty good, none seem disposed to maintain that the season will be a productive one, on the contrary, a deficiency is anticipated. In general the crop has been a complete failure, the exceptions being very few. One gentleman just returned from the Mofussil states, that the plant appears quite stunted, varying from one foot to four in height, but the generality of it does not greatly exceed the one foot. A letter received in town to-day, mentions that the river is rising fast.—*Cal. John Bull, July 24.*

#### THE CALCUTTA POLICE.

We inserted in our last number a statement from the *Bengal Hurkuru* of an outrage committed on a gentleman by some chowkedars, which, as generally happens in that paper, turns out to be a gross misstatement. Its own revised account of the transaction, in a subsequent paper, is as follows:—"The gentleman mentioned in that paper, had ordered a piece of furniture to be made by a native workman, who, when he had finished it, informed him that the chowkedar of the neighbouring thanna would not allow him to bring it home. This was disbelieved in the first instance; but the gentleman, on going to inspect what had been done, found reason to give credit to the avowment of the mystery; and on this proceeded rather summarily to inflict punishment on the guilty police-man with his huggy whip. This occasioned the sufferer to call for succour, and speedily, on the beating of an alarm on the tomtom, a very overpowering aid, in the shape of a multitude of chowkedars, made their appearance. These shewed every disposition to take as summary a vengeance on the gentleman who had outraged the dignity of the police in the person of their comrade, and also on another gentleman who had joined



joined him, seeing him in trouble; but they refrained from violence, and only gave vent to their feelings in words. The gentlemen were forced to walk along to a distant tannah, and had there to wait till it suited the convenience of the magistrates to attend to the business. Finally, the whipping gentleman was fined 100 rupees. In this we can see nothing but what is right and proper."

The *Hurkaru* contains another statement relating to the native police officers, which we insert with a cautionary notice: it may be equally true with the former.

"The brutal conduct of the chowkedars has been a frequent theme of discussion by the public press; but whether it be that they have so often escaped any penalty for their misconduct, or that they reckon in being supported *per fas aut nefas*, we know not; but the fact is, that they do continue open to the same reproach still. We have before alluded to the practice common to them of extorting money from the poor natives, that a basket of fruit or vegetables, or any thing else, never comes into town, but what these conservators of the peace avail themselves of their brief authority to levy war upon the bearers of it, and extort a toll from them. Yesterday another instance of the kind occurred: a poor devil who was carrying a pot of oil was met by one of these extortioners, who instantly demanded some pice to let him pass; the poor man remonstrated and pleaded poverty, when the chowkedar instantly threw down the pot of oil. A gentleman passing by interfered, and required the chowkedar's authority for this act. On approaching the fellow to examine his badge, he was instantly collared by him. The gentleman then struck him, he was surrounded and severely beaten, and might have lost his life, but for two Europeans passing by, who rescued him out of the clutches of these ferocious minions of power."

#### NATIVE PAPERS.

*Delhi.*—His Majesty had conferred forty khilaats, at an entertainment, in honour of Meerza Baber, and was perpetually employed in doing good, and giving to the poor. The Aloor vakeel, at the durbar of the resident, stated that the force belonging to the Rao Rajah had engaged the insurgents in the village of Kullae, and continued the conflict with muskets two days. At last they made a furious attack upon the village, and entered it triumphantly, the zumeendars flying away in every direction. A person belonging to the ex-king of Cabul, Shah Shooja, presented a nuzur to the resident in the name of his master. Rajah Kulean Sing, on the occasion of his proceeding to bathe in the Ganges, gave a grand farewell nautch, to

which the resident and other English gentlemen were invited.

*Runjeet Singh.*—Up to the 10th of June, the Maharajah continued at Deenanagur. In a former akbar it was mentioned, that an agreement of marriage entered into between the rajah of Kot-Kangra and one of the family of Rajah Dhean Singh, had for some alleged reason been broken off. In consequence of this rupture, the rajah of Kot-Kangra had manifested a strong disposition to proceed to hostilities, and his highness had deemed it prudent to despatch Kinoor Kherg Sing, and other confidential persons, with a large force to prevent the apprehended tumult. The movement of the troops as far as Joalamukhee, and the dread of the country being laid waste, seem to have operated powerfully on the belligerent party, and reduced him to terms. The rajah thought it at last advisable to consent to the projected nuptials, and signed the usual document accordingly. To avert personally the wrath of the Maharajah, he made the best of his way to Deenanagur, and appeared unexpectedly before his highness with the customary presents. All the matters in dispute being amicably arranged, the forces sent on the expedition against Kot-Kangra were ordered to return.

The seal of the Ikrar-nama of Rajah Anroo Chund, brought by Kinoor Kherg Singh, being observed to be engraved in Sanscrit letters, it was considered suspicious, and returned to be stamped in the Persian character, as usual.

One day the kotwal brought before the Maharajah two horses which had been stolen, and also the perpetrators of the theft. His highness sentenced the thieves to have their hands cut off, and then to be released. He ordered a despatch to be written to Yar Mahommed Khan, of Peshawer, reminding him that until the amount of money promised by him in lieu of the famous horse Lylee was paid, he would not allow his sons to quit Lahore. He also issued orders to all the talookdars to purchase for him as much saltpetre as they could procure, and send it to Deenanagur. Mootee Ram, the hakim of Cashmeer, had an audience of his highness, who accosted him by saying, that he had grown fat upon the wealth of Cashmeer. The hakim's reply was in the customary strain: My life and wealth are equally at your command!

#### SHIPPING.

##### Arrivals in the River.

July 9. *Albion*, MacLeod, from Liverpool; and *Milford*, Jellicoe, from Madras.—12. *Bradock*, Whynes, from Liverpool.—15. *Bahamian*, Pearce, from Liverpool.—16. *Elizabeth*, Pell, from Liverpool.—17. *William*, Young, from London and Madras.—23. *Welcome*, Paul, from Glasgow.—25. *Hebden*, Fowler, from London.—26. *Fame*, Bullen, from London, and *Louisa*, Mackay, from Penang.—27. *Mari de Rose*, Esaul, from Havre.

Havre.—30. *Victory*, Farquharson, from London and Madras.—Aug. 3. *City of Aberdeen*, Duthie, from Glasgow; and *Elizabeth*, Cook, from Mauritius and Madras.—5. *Thames*, Bugg, from London and Madras.

#### Departures from Calcutta.

July 9. *John Greig*, Harvey, for Isle of France.—13. *Mercury*, Remy, for Penang and Singapore.—16. *Exporter*, Amoye, for the Isle of France.—17. *Sovereign*, M'Kellar, for London.—18. *Georgian*, Laud, for Philadelphia.—25. H.C.S. *Sir David Scott*, MacTaggart, for China.—30. *Iris*, Frank, for London.—Aug. 1. *Reliance*, Haye, for Isle of France.—3. *Jane*, Moncrieff, for China.

#### BIRTHS.

March 30. At Nusseerabad, the lady of Lieut. the Hon. R. V. Powys, 12th N.I., of a son.

31. At Muttra, the lady of Capt. N. Campbell, 21st N.I., of a daughter.

June 1. At Nusseerabad, the lady of Capt. A. F. Richmond, 3rd N.I., of a son.

20. At Almorah, the lady of Mr. J. W. S. Conway, of a son.

21. At Ingeram, Mrs. Linares, of a daughter.

22. At Meerut, the lady of A. Gordon, Esq., of a daughter.

24. At Calcutta, Mrs. John Vurdon, of a daughter.

29. At Calcutta, Mrs. T. Flashman, of a daughter.

July 3. At Calcutta, the lady of Capt. J. Jervis, 5th regt., of a daughter.

— At Futeh Ghur, Mrs. C. J. Coles, of a daughter.

5. At Calcutta, Mrs. J. W. Ricketts, of a son.

— At Serampore, Mrs. Nyss, of a son.

6. At Calcutta, the wife of Mr. John Hall, of a daughter.

— At Calcutta, Mrs. H. Court, of a daughter.

8. At Goaljunge, near Berhampore, the lady of Robert Morrell, Esq., of a son.

9. At Calcutta, Mrs. A. Abraham, of a son.

— At Cossipore, the lady of Major C. Campbell, of a son.

10. At Balasore, the lady of Lieut. Col. D'Aguliar, of a daughter.

11. At Calcutta, the lady of J. R. Rest, Esq., of the civil service, of a daughter.

12. At Calcutta, Mrs. H. B. Gardener, of a daughter.

14. At Calcutta, Mrs. J. N. Jackson, of a son.

15. At Calcutta, Mrs. R. L. Bolst, of a son.

16. At Ballygunge, the lady of J. Field, Esq. of a son.

#### MARRIAGES.

May 9. At Cawnpore, Capt. Ashe, 62d N.I., to Miss Harriet Hopper.

June 1. At Nusseerabad, Assist. Surg. C. Mottley, civil surgeon of Ameer, to Mary Anne, youngest daughter of Brigadier E. P. Wilson, commanding Rajpootana field force.

21. At Nusseerabad, Capt. J. G. Burns, assistant commissary general, to Miss Beckett.

26. At Delhi, W. H. Sperling, Esq., 16th Lancers, to Mary Sophia, eldest daughter of Samuel Ludlow, Esq., of Delhi.

27. At Calcutta, Mr. P. S. D'Rozario, to Miss A. M. Mendes.

30. At Bellaspoor, near Ryepeer, F. Dwyer, Esq., assistant surgeon, to Miss C. H. Dring.

— At Calcutta, Mr. Donald Mercado, to Miss Caroline Cornelius.

— At Calcutta, Mr. Stephen Hornby, to Miss Catherine O'Brien.

July 7. At Calcutta, Mr. J. G. Dunkley, to Miss S. Attwood, second daughter of the late Mr. J. C. Attwood, indigo planter.

11. At Calcutta, Mr. Richard Chalke, to Caroline, eldest daughter of Mr. A. Mercado, assistant presidency pay office.

12. At Calcutta, Mr. J. A. Guest, to Margaret, daughter of Mr. John Paterson, of Dum Dum.

14. At Calcutta, Mr. D. Forster, to Miss Catherine D'Cruze.

19. At Nagpore, A. K. Agnew, Esq., 6th regt. Bengal N.I., to Miss D. Watson.

22. At Berhampore, Mr. Charles Rose, of Bogwollah, to Miss Matilda Oliver.

28. At Calcutta, Mr. Colin Campbell, to Miss Ann Sobian.

31. At Calcutta, Mr. Anthony Gonsalves, to Miss E. P. Daniel.

#### DEATHS.

May 23. At Allahabad, Mrs. Elizabeth Bull, aged 27.

24. At Chuppra Mow, Mr. G. D. Johnston, aged 22.

June 18. At Benares, John Garton, Esq., formerly of Futtighur, aged 38.

20. At Bhopalpoore, Lieut. R. M. Pollock, adj. 3d Extra Bengal N.I., aged 36. The whole of the regiment requested to accompany his remains to the grave.

22. At Schore, Eliza Maria, the wife of Lieut. J. S. Winfield, commanding Bhopaul contingent.

— At Dinapore, Mr. H. Jenkins, aged 24, apothecary on the Pension establishment.

July 2. At Barrackpore, Lieut. C. C. Dunbar, 59th regt. N.I.

6. At Calcutta, Chas. Ethelwald, youngest son of the late C. E. Pinto, Esq., aged 7 years.

7. At Calcutta, Mrs. Merces, wife of Mr. F. D. Merces, aged 32.

9. At Khul Boalya Factory, Peter Drummond, Esq.

— At Calcutta, Edward Wilberforce, only child of Edw. Bird, Esq., barrister at law, aged 3 years and 8 months.

11. At Calcutta, Mr. Fred. Gough, aged 29.

13. At Calcutta, Charles Engelbrecht, son of J. A. Engelbrecht, Esq., attorney at law at Ceylon, aged 5 years.

20. At Calcutta, Mrs. Elizabeth Carraw, aged 17.

28. At Calcutta, George Burt, Esq., aged 27.

Aug. 2. At Garden Reach, Frederick York, son of Sir Edward Ryan, aged 1 year and 4 months.

3. At Calcutta, Mr. M. Portner, aged 49.

Lately. At the Hyderabad residency, Mr. W. H. Neidmann, master of the band, aged 50.

## Madras.

### GOVERNMENT GENERAL ORDERS.

#### PRACTICE OF COURTS-MARTIAL.

*Head-Quarters, Choultry Plain, May 2, 1828.*—Much inconvenience having arisen to the public service from the irregular and unintelligible manner in which charges are framed for trial before courts-martial, the Commander-in-chief finds it expedient to give the following directions for general observance in that respect, and expects that commanding officers will refuse their sanction to all charges which may not be framed accordingly; for, although military courts are not subject to the same technical formalities which prevail in courts of law, yet it is obviously requisite to the ends of justice that certain forms should be preserved; and that all charges should be so worded as at once to inform the court of the matter which is to come before it, and to enable the prisoner to defend himself against a distinct and specific accusation.

All charges on which prisoners are to be tried should consist of three parts.

I. *The commencement*, designating the prisoner by his name, surname, rank or station, and regiment to which he belongs, and showing by whose order he is placed in arrest or confinement.

II. *The statement of the offence*, clearly, consistently, and succinctly, setting forth, with

with a careful avoidance of all trivial or irrelevant circumstances, the fact or facts to which criminality is attributed, and invariably specifying the time and place where the offence was committed.

III. *The conclusion*, declaring the offence to be either, generally, "in breach of the Articles of War," or specially, "within the provisions of article iv., section xxi., of the European, or article vi. section xii. of the Native Articles of War" as the case may be.

May 3, 1828.—Recent instances having been brought to the notice of the Commander-in-chief, wherein the prosecution upon trials before European courts-martial, inferior to general, has been irregularly conducted by the court itself, this practice is strictly prohibited as being unauthorized and contrary to the established mode of conducting trials before military courts.

By the Articles of War, a public prosecutor has been provided upon trials before general courts-martial in the person of the Judge Advocate, and with reference to the peculiar constitution of native military courts, a similar provision has been made upon trials before native courts-martial other than general, by attaching thereto an European officer to superintend the proceedings; but the case is different upon trials before minor European courts-martial, where there is neither Judge Advocate nor superintending officer to officiate as public prosecutor, and upon such trials, therefore, it is essentially requisite to the regularity of the court's proceedings, that the officer signing the charge should appear in court to conduct the prosecution, or failing such officer, the regimental, line, cantonment, or fort adjutant, as the case may be, whose duty it will be to attend courts-martial for such purpose.

June 16, 1828.—Several instances having recently occurred of charges being preferred before courts-martial inferior to general, for crimes involving capital punishment, contrary to the general provisions of the European, and the express provisions of the 2d article of the 12th section of the Native Articles of War, in consequence whereof the proceedings held thereon have been rendered illegal, and the ends of justice defeated; commanding officers are hereby cautioned against sanctioning charges so framed hereafter, and requested to provide that crimes, submitted to minor courts-martial, may be such as are legally within their cognizance.

#### ABSENCE OF OFFICERS ON STAFF EMPLOYMENTS.

Fort St. George, May 27, 1828.—The Right Hon. the Governor in Council is pleased to exempt from the operation of

the general orders by government of the 8th Feb. last,\* the officers required to serve on the personal staff of the governor, and the Commander-in-chief, or in political and confidential appointments.

#### CIVIL APPOINTMENTS.

July 25. G. S. Hooper, Esq., assistant judge and joint criminal judge of Salem.

Wm. Lavie, Esq., head assistant to principal collector and magistrate of Canara.

T. L. Blane, Esq., assistant to collector and magistrate of Chingleput.

29. W. Douglas, Esq., register to provincial court of appeal and circuit for southern division.

R. B. Sheridan, Esq., assistant to principal collector and magistrate of Coimbatore.

C. E. Macdonald, Esq., assistant to collector and magistrate of Salem.

J. G. S. Buere, Esq., assistant to principal collector and magistrate of northern division of Arcot.

#### MILITARY APPOINTMENTS, PROMOTIONS, &c.

Fort St. George, July 11, 1828.—8th L.C. Sen. Lieut. E. H. Raymond to capt. from 12th June 1827, v. Gordon dec.—Sen. Cornet John Whitlock to be lieut. from 6th Oct. 1826, v. Watts dec.

Infantry. Sen. Lieut. Col. H. M. Kelly to be lieut. col. com., v. Ogg dec.; dated 24th Feb. 1828.

30th N.I. Sen. Maj. Wm. Ormsby, from 50th N.I., to be lieut. col., v. Smith dec.; dated 24th May 1828.

50th N.I. Sen. Capt. Wm. Pickering to be major, Sen. Lieut. H. Walter to be capt., and Sen. Ens. W. W. Dunlop to be lieut., in suc. to Ormsby prom.; all dated 24th May 1828.

10th N.I. Sen. Ens. Jas. Coles to be lieut., v. Wall dec.; dated 10th Feb. 1828.

15th N.I. Sen. Lieut. W. H. Smith to be capt., and Sen. Ens. C. S. Babington to be lieut., v. Conway retired; dated 7th Jan. 1828.

29th N.I. Supernum. Lieut. Jas. White to be lieut. from 13th Aug. 1827, v. Sinclair dec.

Lieut. Chas. Holdero, 24th N.I., and Lieut. T. R. Manners, 25th do., to be captains by brevet from 6th July 1828.

Cadet W. G. Woods admitted to cavalry, and prom. to cornet.—Cadet G. M. Gumin admitted to artillery, and prom. to 2d-lieut.—Cadet F. Dittmas admitted to engineers, and prom. to 2d-lieut.—Cadets D. Johnstone and Edw. King admitted to infantry, and prom. to ensigns.

Officers returned to duty, from Europe.—Lieut. R. Francis, 45th N.I.; Lieut. Col. J. M. Coombs, 2d N.I.; Capt. T. Rudiman, 31st or T. L. I.; Capt. T. R. C. Mantell, 48th N.I.

Casualties.—Lieut. Gen. D. Campbell, 27th Jan. 1828; Lieut. Gen. D. Burr, 19th Feb. 1828.

#### FURLOUGHS.

To Europe.—July 11. Lieut. Col. D. Foulis, 5th L.C., for health.—Lieut. H. Vanderzee, 27th N.I., for health.

To Sea.—July 11. Lieut. F. Ensor, 47th N.I., for six months, for health.

#### MISCELLANEOUS.

##### INSCRIPTION ON BISHOP HEBER'S MONUMENT.

The following inscription on the monument erected by subscription to the memory

\* See *Asiat. Journ.* vol. xxvi. p. 220.

ry of Bishop Heber at this presidency is, we understand, from the pen of the present Archdeacon of Madras, the Rev. Thos. Robinson, A.M.

M.S.

Viri admodum Reverendi et in Christo Patris

REGINALDI HEBER, S. T. P.

Primo Collegii ænei nasi in Academia Oxoniensi Alumni;

Collegii deinde Omnium Animarum Socii;

Parochiæ Hodnet in agro suo natali

Salopiensi Rectoris;

Apud Societatem Honorabilem Hospitii

Lincolniensis Prædicatoris;

Postremo autem Episcopi Calcuttensis;

Qui in ipso adolescentiâ flore,

Ingenii fama,

Humanitatis cultu,

Omnigenæque Doctrinæ laude,

Ornatissimus,

Ea omnia in communem Ecclesiæ fructum afferens,

Se suaque deo humillime consecravit;

In sanctissimum episcopatus ordinem,

Bonis omnibus hortantibus adscriptus,

Ecclesiæ apud Indos Anglicanæ infantiam,

Non pro viribus, sed ultra vires,

Usque ad vitæ jacturam,

Aluit, fovit, sustentavit,

Admirabili ingenii candore,

Suavissima morum simplicitate,

Divinaque animi benevolentia;

Usque adeo omnes sibi vinxerat,

Ut mortuum

Ecclesiæ universa Patrem

Etiam exteri patronum carissimum

Desiderarent.

Natus die Aprilis xxi. A.D. MDCCCLXXXIII.

Subita morte præreptus juxta urbem

Trichinopolim,

Mortales exuvias deposuit Aprilis die iii,

Anno salutis MDCCCXXVI, Ætatis suæ XLIII,

Episcopatus III.

Madrasenses,

Non Solum Christiani, sed et Ethnici,

Principes, Magnates, Pauperes,

Ad hoc marmor exstruendum uno consensu

Adfuere.

#### MUTINY AMONGST THE BOATMEN.

There has been a mutiny amongst our boatmen, and not a boat could be got by fair means or foul to land the troops from the H.C.'s ship *Fairlie* on Wednesday. All business was at a stand owing to this untoward event. The master-attendant and the magistrates used every means in their power to induce these misguided men to return to their duty, but they obstinately held out until yesterday afternoon. Fortunately a sufficient crew to man one accommodation boat continued at their post, and they landed the passengers from the *Palmer* and other ships. The cause of the "strike" is understood to be the very low wages they receive for their arduous employment. We also learn

that one of the boatmen alongside of the *Fairlie* was killed by the wadding from one of the guns during the salute which was fired when she came to an anchor. The troops were landed last evening—*Mad. Cour.*, June 27.

#### PONDICHERRY.

We learn from Pondicherry, that the fête champêtre given at the King's Botanical Gardens on the 23d July, to Viscount Des Bassaynes de Richmond by his friends, on the occasion of his Excellency's approaching departure from India, went off with great *éclat*. The pavilion, we are informed, was tastefully decorated with allegoric transparencies; the avenues from Villenour Bridge to the Botanical Garden itself exhibited a blaze of light which had a beautiful and brilliant effect. The party consisted of about eighty persons.

On the 25th July, his Excellency the Viscount Des Bassaynes de Richmond entertained his friends with a splendid ball and supper at the Government-house. The Company assembled at eight o'clock, and was received by the Viscount with his wonted elegance and urbanity. Dancing shortly afterwards commenced; waltzes, and new quadrilles (recently brought out from France) were the order of the evening. The company sat down to an elegant supper about twelve o'clock; the well arranged table displayed every delicacy of the season, in viands, fruits, and wines; after supper dancing was resumed, and continued with much spirit until three o'clock, when the party separated.—*Mad. Gov. Gaz.*, Aug. 2.

#### SHIPPING.

##### Arrival.

July 30. *Indiana*, Webster, from Mauritius.

##### Departures.

July 24. *Elizabeth*, Cook, for Calcutta.—29. *Emulous*, Wellbank, for Calcutta.—30. *Thames*, Bugg, for Calcutta.

#### BIRTHS.

July 13. At Palamcottah, Mrs. Schmid, of a son.  
16. At Nellore, Mrs. Ross, wife of Mr. D. Ross, revenue surveyor, of a daughter.  
24. At Cocanada, the lady of G. A. Smith, Esq., civil service, of a son.

#### MARRIAGES.

July 7. At Arrot, Mr. G. Morell, to Mary, only daughter of Mr. David Morris.  
21. At Poondnorah, near Anjengo, D. C. Rodrigues, Esq., second son of F. Rodrigues, Esq., of Anjengo, to Rosa Maria, eldest daughter of A. J. D'Veigas, Esq.  
23. At Cuddalore, C. E. Macdonald, Esq., of the Madras civil service, to Maria Agnes, second daughter of the late Edw. Stevenson, Esq.  
— At Nellore, J. B. Preston, Esq., to Margaret Georgiana, eldest daughter of L. H. Stirling, Esq., of Madras.

#### DEATHS.

July 17. At Quilon, Ellen; wife of Mr. A. Broomfield, aged 33.

18. At Madras, Mr. Jas. Duncan, from Dundee, late chief officer of the ship *Caroline*, aged 34.  
 23. At Madras, Mrs. Cornet, relict of the late Vendictien Cornet, Esq.  
 24. At Madras, Mr. Wm. Parr, aged 44.  
 28. At Madras, Catherine, lady of L. H. Stirling, Esq.

## Bombay.

### GOVERNMENT GENERAL ORDERS.

#### ASSISTANT COMMISSARIES GENERAL.

*Bombay Castle, June 7, 1828.*—By the General Orders of the 8th July 1824, assistant commissaries general were directed to vacate their appointments on promotion to the rank of lieutenant colonel regimentally; the following rules are in future to be observable applicable to the revised establishment of that department.

First assistant commissaries general to vacate on their promotion to the rank of lieutenant colonel; second assistants on their promotion to a majority; and third assistants, being chosen exclusively from subaltern officers, to vacate when promoted to the rank of captain.

This last regulation will not effect any officer of the rank of captain now holding the situation of third assistant in the commissariat.

The Governor in Council is also pleased to establish the following scale for regulating the amount of security to be required of assistants in the commissariat.

First assistants.....	Ra. 30,000
Second do.....	20,000
Third do.....	10,000

#### ABSENTEES IN CIVIL SERVICE.

*Bombay Castle, June 19, 1828.*—The Governor in Council has had under consideration the peculiar circumstances under which various civil officers are at present absent from their stations, in pursuance of permission granted whilst the absentee regulation of 1824 was in full force; and in order not only to provide for each case, as far as possible, but to obviate all future misapprehension, is pleased to direct:

That the provisions of the regulation above quoted, in respect to civil officers absent from their stations and sojourning within the limits of this presidency, shall cease to have operation from and after the 31st of July, and in respect to those persons who have proceeded beyond the limits of this presidency, but on the peninsula of India, from and after the 31st of October; and further, in respect to those persons who are absent at the Cape of Good Hope, or other where than on the peninsula of India, from and after the 31st of December next.

The Bengal absentee regulation, which, as far as applicable, will have temporary

operation under this presidency, in conformity with the notification published under date the 5th instant, is annexed for the general information of all officers whose functions will bring them within the scope of the operation of the regulation in question.

*Extract from Proceedings of the Right Hon. the Governor General in Council in the Public Department, 1st March 1828.*

Under the circumstances stated in the committee's report, government has resolved to establish the following rules, in respect to the deductions to be made from the salaries of persons absent from their stations, whether on account of bad health, or on account of their private affairs; likewise on other points connected with such absence.

A deduction of one-sixth, except in the cases below stated, to be made from the salaries, or authorized emoluments of all civil servants compelled to leave their stations, on account of sickness, during the whole period of their absence.

This rule, however, is not to apply to zillah, or city registers, or to other individuals, whose allowances may not exceed 500 rupees per mensem. It is not intended to make any deduction from the salaries of civil servants holding such appointments when absent from their stations on account of bad health.

In cases in which the salaries, or authorized emoluments of civil servants exceed the sum stated under the foregoing head, only in such a small degree that a deduction at the rate of one-sixth would reduce the remaining proportion below 500 rupees per mensem, it is the intention of government, that the deduction should not be carried to the full extent of one-sixth, but merely so far as will leave to the individual the monthly sum above-mentioned of Sicca Rupees 500.

Persons applying for leave of absence, on account of indisposition, are to accompany such application with a certificate of the state of their health from the surgeon or assistant surgeon of their station, agreeably to the form inserted below and marked A.

When an extension of leave of absence may be deemed necessary, such officers, if they have proceeded to any station immediately dependent on this presidency without coming to Calcutta, are to attend the senior surgeon, whether civil or military, of such station, and to obtain from him a certificate conformably to the accompanying form, marked B, to be renewed monthly; and if the officers in question shall have come to Calcutta, they are to obtain from the surgeon attending them a similar certificate of sickness, to be also renewed monthly, and which must be confirmed by the concurrent

concurrent testimony of the superintending surgeon of the presidency, or in his absence by one of the members of the Medical Board.

When such officers may find it necessary to proceed to sea or to Europe for the recovery of their health, they are to obtain a certificate to that effect from the surgeon attending them, which must be confirmed by one of the members of the Medical Board, in one of the forms mentioned below, and marked C and D. Should the absence of such officers, when permitted to proceed to sea and not to Europe, exceed the period for which they have obtained the sanction of the Governor General in Council, they are to obtain a satisfactory testimonial from the chief medical authority of the presidency or colony to which they may have proceeded, that the state of their health rendered such extension of their absence indispensably necessary.

The certificates so obtained are to be submitted for the consideration of government.

[Here follow forms of certificates.]

The Governor General in Council proceeds to advert to that part of the committee's report of the 5th of December last which relates to the extra and deputation allowances proposed to be granted to civil servants out of employment, when nominated to act in the temporary charge of any office, as well as to civil servants when in charge of other offices than those to which they are permanently appointed. The following is the scale of such allowances suggested by the committee, which, on a consideration of all the circumstances stated by them, not only in their report of the 5th December last, but in that of the 8th ultimo, in reply to the reference made to them, in Mr. Acting Secretary Trotter's letter of the 4th January, the Gov. Gen. in Council is pleased to adopt.

*Scale of Allowances to be granted to Civil Servants out of Employment, nominated to act in the temporary Charge of Offices, either at the Presidency or elsewhere.*

	Sa. Rs.
When acting in offices the average monthly emoluments of which do not exceed Sa. Rs. 1,500.....	400
Add, subsistence money, if writer or factor .....	162
Do. do., if junior merchant...	244
Above Sa. Rs. 1,500, but not exceeding Sa. Rs. 2,800 .....	700
Add, subsistence money, if junior merchant.....	244
Do. do., senior do. ....	325
Exceeding Sa. Rs. 2,800.....	1,500
Add, subsistence money, senior merchant .....	325

*Asiatic Journ.* VOL. 27. No. 157.

*Scale of Extra Deputation Allowances to be granted to Individuals when in Charge of Offices distinct from those to which they are permanently appointed.*

	At same station.	Different station.
When acting in offices the average monthly emoluments of which do not exceed Sa. Rs. 1,500... Sa. Rs.	150	300
Above Sa. Rs. 1,500, but not exceeding Sa. Rs. 2,800...	250	400
Exceeding Sa. Rs. 2,800 ...	350	500

The extra allowances specified in the foregoing statement, are intended to preclude all claims on the part of the individual officiating to commission, which is considered to belong to the fixed incumbent, even during his absence, subject of course to the prescribed deduction. The extra and deputation allowances above specified, are to be considered applicable to civil servants in every branch of the service, with the exceptions especially provided for below. The Gov. Gen. in Council will determine the amount of the extra or deputation allowance to be granted to the persons officiating as secretaries to government, or as residents at foreign courts, as circumstances may in each instance render it advisable. The same course will likewise be pursued when officers may be constituted for the attainment of local or temporary objects, similar to those at present held by the commissioner in Boguee, the commissioner in Behar, &c. &c.

When the register of a provincial court, or the assistant to a magistrate, shall be nominated to the charge of the office of register of a zillah, or city court, at the same station as that to which he is permanently attached, he is entitled to receive the fees authorized by the regulations on all suits actually decided by himself, as well as the fees for registering deeds, an arrangement which renders any further extra allowance unnecessary.

In those cases in which the gentleman appointed to officiate in the situation mentioned under the preceding head may belong to a different station, an extra allowance is to be granted at the rate of five rupees per diem.

Whenever the service of any of the officers enumerated in the margin\* may be required in the interior of their districts, or at any place within the limits of their respective local duties, no extra allowance for travelling, or on any other account is to be granted.

When isters to provincial courts or assist-

\* A judge or magistrate of a zillah or city court, a collector of land revenue or of customs, a commercial resident, a salt agent or his assistant, an opium agent or his deputy, a magistrate, collector of land revenue, ditto of customs, opium agent and commercial resident.

assistants to any of the officers enumerated in the margin, shall be deputed into the interior of the districts to which they are attached or employed, at any place within the limits of their respective local duties, they are to receive an extra allowance at the rate of Sicca Rupees 5 per diem.

When a register or acting register of a zillah or city court shall be employed, in the manner stated under the foregoing head, he is to receive an extra allowance at the rate of Sicca Rupees 10 per diem.

The additional extra allowance stated in the preceding head, is intended to compensate for the loss of fees, to which the officer so deputed or employed will be subjected during his absence from his head station.

The orders of government, in the judicial department of the 13th Oct. 1809, in regard to absentees, are to continue in full effect.

The orders direct, that any civil officer who may obtain leave of absence shall forward a certificate to the Auditor's office, signed by the person to whom he may deliver over charge, and from whom he may again receive charge of his office, specifying the date on which he may have relinquished, and on which he may have resumed charge respectively.

In cases in which it is not necessary, from the nature of the appointment, to depute a civil servant to relieve an officer who has obtained leave of absence, the individual leaving his station is to forward to the auditor a certificate from his immediate superior in office, or if he should have no immediate superior in office, or if circumstances should render it impracticable to obtain such certificate, a notification, attested by himself, stating the date of his quitting the station and the date of his return to it.

The civil and commercial auditors will be instructed to pass all bills for extra and deputation allowances provided for by the foregoing rules, without the delay of a reference to government; and the certificates stated in the preceding paragraphs are to guide them in regard to the period during which deductions are to be made from the salaries of absentees, and in respect to the dates from which the extra and deputation allowance are to commence, and the period when they are to cease.

*Appendix to the Rules passed on the 1st March 1817.*

Sections 26, 27, 31, and 32, are abrogated.

In section 30, first line, the words "registers or acting registers of zillah or city courts" are to be substituted for the words "registers to provincial courts," which appointments have been abolished.

The words "joint magistrates" are to be added in the margin of section 28.

Under the foregoing modifications, the case of an assistant officiating as register, as joint magistrate, or as magistrate, or as judge and magistrate, and of a register officiating as joint magistrate, or as judge and magistrate, will come within the provisions of section 22.

The following addition is to be made to the 7th article of the printed rules: "individuals who may from ill health be unable to perform their duties, and who may in consequence be compelled to deliver over charge of their offices to another person, shall be subject to the specified deductions, although they may not actually leave their station."

The following revised scale of deductions to be made from the allowances of civil servants proceeding to sea, or beyond the limits of the presidency to which they belong, for the benefit of their health under the prescribed certificates, is authorized by government, and is to take effect from the 1st of May 1822.

Civil servants proceeding to sea, or beyond the limits of the presidency to which they belong, on certificate of ill health, if absent for a period not exceeding two years, to be subjected to a deduction of one-tenth from their allowances; if necessarily absent for any longer period beyond two years and not exceeding two and a half years, to be subjected to a deduction of one-fifth for such additional period; and if the term of absence shall exceed two and a half years, the whole of the allowances of the absentee to cease from the expiration of that period.

Fort William, Gen. Dept.,  
29th March 1822.

In reference to the resolutions passed by government on the 1st March 1817 and 29th March 1822, relative to deductions to be made from the salaries of civil servants when absent from their stations, whether on account of bad health or on account of their private affairs, the Right Hon. the Governor in Council is pleased to direct that the following extract from a public general letter from the Hon. the Court of Directors, dated 21st May 1823, be published for general information, and that the rules prescribed by the Hon. Court, applicable to cases of civil servants absent from their stations on account of ill health, do take effect from the 1st proximo.

*Extract from a public general Letter from the Hon. the Court of Directors, dated the 21st May 1823.*

Par. 21st. Upon these principles we prescribe the following rules; that, with the exceptions hereafter stated, a deduction of one-eighth be made from the salaries and allowances, not exceeding 2,000 rupees per mensem for one year, and of one-

one-sixth for the next six months, after the expiration of which period the allowance only of a servant out of employ is to be granted.

22d. On salaries and allowances exceeding 2,000 rupees per mensem, one-sixth for one year, and one-fourth for the next six months. Thereafter the allowance of a servant out of employ is to be granted.

23d. The exceptions above alluded to are those contained in the eighth and ninth clauses of the regulations established in March 1817, with such modifications as may be required by the foregoing rules.

24th. In the first of those clauses it is stated that no deduction is to be made from allowances which do not exceed 500 rupees per mensem, and by the second it is provided that in cases in which the salaries or authorized emoluments of civil servants exceed 500 rupees per mensem, only in such a small degree that a deduction at the prescribed rate would reduce the remaining proportion below 500 rupees per mensem, the deduction shall be carried only so far as will leave to the individual the monthly sum of 600 rupees.

25th. We direct that these rules of exception have effect during one year only; that for the next six months a deduction be made at the rate of one-eighth, and that thereafter the individual, if a factor or writer, receive not, as in other cases, merely the allowance of a servant out of employ, which, in that event, would amount only to 162 rupees per mensem, but the allowance of a junior merchant out of employ, viz. 224 rupees per mensem.

By order of the Right Hon. the Gov. Gen. in Council,

(Signed) C. LUSHINGTON,  
Fort William, Sec. to Govt  
General Department.  
25th Sept. 1823.

*Bombay Castle, June 26, 1828.*—The Hon. the Governor in Council is pleased to publish the following rules of the Supreme Government, which were omitted in the extract of the proceedings of that government published on the 19th inst.

A deduction at the rate of one-sixth to be made from the salaries or authorized emoluments of all civil servants stationed within the division of Bareilly and Benares, or as they are ordinarily denominated the western provinces, who may, with the sanction of government, be absent from their stations on account of their private affairs during any period not exceeding eight weeks in the year.

A deduction of one-sixth to be made from the salaries or authorized emoluments of all civil servants stationed in the Lower Provinces, who may, with the sanction of government, be absent from their stations on account of their private affairs, during a period not exceeding six weeks in the year.

A deduction of one-third to be made from the salaries or authorized emoluments of civil servants, who may be absent from their stations on account of their private affairs (and not on account of sickness), for periods of time respectively exceeding those specified under the two foregoing heads, numbered according as the rules contained under these heads may apply to the cases.

#### *Government Advertisement.*

*Fort William, General Department, Sept. 29, 1825.*—With reference to the orders of government, dated the 1st of March 1817, regarding absentees in the civil branch of the service, the Right Hon. the Gov. Gen. in Council is pleased to promulgate the following resolutions, passed this day on the subject, which are to have effect from the 1st of the ensuing month of October.

*Resolved,* That the rule for a deduction of one-sixth from the allowances of civil servants absent from their stations on account of their private affairs, which was prescribed in the 10th and 11th paragraphs of the resolutions passed on the 1st March 1817, be rescinded; that the rule contained in the 7th paragraph of the same resolutions, for a deduction of one-sixth from the allowances of civil servants compelled to leave their stations on account of sickness, “during the whole period of their absence,” be modified; and that in future, any civil servant who may, with the sanction of government (to be granted or not, as may appear proper to the Gov. Gen. in Council in each case) be absent from his station or office, whether on account of his private affairs or from sickness, for a period not exceeding one month in the year, shall not be subject to any deduction from his authorized allowances. If, however, the absence of such servant shall exceed the term of one month in the year, a deduction of one-third shall be made from his allowances for the period of such excess, except in cases of certified ill health, as provided for by the rules in force.

By command of the Right Hon. the Gov. Gen. in Council.

(Signed) C. LUSHINGTON,  
Sec. to Govt.

#### LETTERS FROM THE COURT OF DIRECTORS.

*Bombay Castle, June 23, 1828.*—The Hon. the Governor in Council is pleased to publish, for the information of the army, the following extracts from letters from the Hon. the Court of Directors.

*Letter dated 23d Jan. 1828.*

Para. 2d. We have on various occasions received applications from officers in his Majesty's service claiming to receive the amount



amount of their passage-money after their arrival in India.

3d. As the circumstances which entitle some of his Majesty's officers to a free passage are only known to the military authorities at the office at the Horse Guards, Whitehall, we direct that all officers making applications of this nature be desired to forward them direct from India to the military secretary of the commander in chief, at that office, for consideration: the transmitting them to us in the first instance being productive only of delay.

*Letter dated 25th Jan. 1828.*

[75. A regulation passed at Bengal authorizing the advance of three months' pay to King's soldiers returning to England, adopted at Bombay.]

35. We have already sanctioned this regulation at the other presidencies, and consequently approve of its introduction at yours.

[17. As an additional encouragement to the study of the native languages, Government have resolved that every officer who shall pass an examination in one language shall receive the sum of thirty-eight rupees per month for six months, and the same sum for twelve months on obtaining a knowledge of two languages, in order to defray the expense of a moonshee.]

66. This regulation has our approbation and sanction.

[18. Major Gen. Samuel Wilson, commanding the presidency division, appointed vice president of the Military Board, thus relieving the commander in-chief from the ordinary duty of attending.]

67. This arrangement is in conformity with the practice at the Bengal presidency, and has our sanction.

#### PUBLICATION OF SURVEYS.

*Bombay Castle, June 23, 1828.*—The Hon. the Governor in Council is pleased to publish, for the information of the army, the following extract of a letter from the Hon. the Court of Directors, dated 5th Feb. 1828:—

Para. 4. "Having observed that some of our officers who have been employed in the surveying department have sent copies of their surveys to Europe for publication, on private behalf, we desire that you will issue orders to prohibit such a practice in future.

3. "All surveys made at the public expense are public property, and we direct that no copies of any surveys so made be delivered to any persons except those appointed by Government to receive them."

#### FORTRESS OF ASSERGHUR.

*Bombay Castle, June 27, 1828.*—The Governor in Council is pleased to publish in G.O. the following extract of a despatch from the Hon. the Court of Directors dated 25th January 1828, constituting the fortress of Asseerghur a special government command.

[64 and 65. Referring to a G.O. by the Supreme

Government relative to the expediency of constituting the fortress of Asseerghur a government command, and to the limited number of brigadier commands allowed to the presidency of Bombay, the propriety of increasing the fixed number of brigadiers of the 2d class, to admit of the suggestion of the Supreme Government being carried into effect, submitted to Court's consideration.]

26. "We have, in our military correspondence with the Bengal Government (Military letter 22d Aug. 1821), expressed our opinion that the forts of Baxar, Agra, and Asseerghur were suitable situations for deserving officers, and sanctioned an allowance of five hundred (500) rupees a month to the several officers there specially appointed by the Bengal Government to the command of those several garrisons.

27. "The fortress of Asseerghur having been since transferred to your government, we authorize you to appoint a commandant of that garrison from among the deserving officers of your establishment, with a staff salary of five hundred (500) rupees a month."

*Bombay Castle, June 27, 1828.*—The Governor in Council is pleased to appoint Major E. Bagnold, of the 23d regt. N.I., to be commandant of the garrison of Asseerghur from the 1st July.

#### PAY OF OFFICERS IN THE SERVICE OF NATIVE PRINCES.

*Bombay Castle, July 24, 1828.*—The Governor in Council is pleased to direct that the following resolution passed by the Hon. the Governor-general in Council in the political department, under date the 20th June last, be published in General Orders for the information of the army:—

"The Governor-general in Council having had under his consideration the rule laid down in the military department under date the 9th Feb. 1827, which provides that "on the nomination of any military or medical officer to a staff appointment or other situation in the army of a native prince, which has hitherto conferred on the individual holding it his regimental allowances from the British government, such officer shall only receive the net pay of his rank in addition to the salary assigned to him by the state to which his services are lent," it has appeared expedient, with the view to relieve the Hon. Company's finances from an unnecessary charge, that the rule aforesaid should be made applicable to all military and medical officers whatsoever now in the service of, and receiving a salary from, any native prince.

"The Governor-general in Council has accordingly resolved, that from and after the 1st proximo, no military or medical officer, holding a staff appointment or other situation in the army of a native prince, shall draw from the Hon. Company any allowances excepting the net pay of his rank, while in receipt of pay from

from the state to which his services have been lent."

### MILITARY APPOINTMENTS, PROMOTIONS, &c.

*Bombay Castle, June 20, 1829.*—Mr. Wm. Leggett admitted on estab. as an assist. surgeon.

*June 23.*—Lieut. A. Johnson to be 1st-assistant in department of military auditor general, v. Bell removed. — Lieut. W. Burnet, 2d Europ. Regt., to be 2d-assistant in ditto, v. Johnson prom.

*June 26.*—Surg. Alex. Henderson app. to act in charge of European General Hospital until further orders.

Lieut. W. Turner to act as qu. mast. to 2d L.C., from 3d June 1829.

Lieut. H. C. Teasdale, 25th N.I., to officiate as interp. to 26th N.I. during absence of Lieut. Ottley on sick certificate.

*July 25.*—Cadet H. Berthon admitted to engineers, and prom. to 2d-lieut.

Cadets W. G. McHaffie, R. Travers, W. Orrok, J. J. Browne, F. Jackson, R. Jeffery, M. Wylie, Jas. Hall, C. W. Maude, H. Cunningham, J. S. Cahill, F. Jackson, Josh. Tait, and G. F. McLutchin admitted to infantry, and prom. to ensigns.

Mr. R. Walters admitted on estab. as a veterinary surgeon.

*July 29.*—Cadet A. J'Anson Bromwich admitted to infantry, and prom. to ensign.

Mr. T. Mackenzie admitted on estab. as an assist. surgeon.

Lieut. G. A. Malcolm, H.M.'s 3d Foot, to be aide-de-camp to Hon. the Governor, from 1st July.

Capt. R. E. Burrowes, H.M.'s 20th Foot, to be extra aide-de-camp to ditto, from same date.

### FURLOUGH.

*To China.*—July 24. Lieut. T. Cleather, regt. of artil., for twelve months, for health.

### MISCELLANEOUS.

#### SHIPPING TRADE.

The almost unprecedentedly low rate of freight at present from this port to England, and the extraordinary depreciation in value of every description of Europe goods during the last twelve or fourteen months, have led us to inquire into the causes of this state of things—this curious era in the history of Indian commerce. The result of our inquiry is this: we find, with respect to the state of freight, that from the 1st of August last to the 28th ult. forty-eight ships have cleared from this port for England, the tonnage amounting to about 19,861 tons; in addition to which, there are vessels here under engagement to leave before the 1st prox. of 1,100 tons burthen, making the total carrying trade from this port to England for the last twelve months the enormous number of 20,961 tons. We also find, on inspection of the export manifest, that of the principal bulky articles of export from this, seven-eighths of the cargoes consisted of cotton, thus leaving 18,341 tons of shipping to be employed exclusively in carrying that article to Europe, which, according to the customary rate of measurement, would amount to 73,364 bales.

We have now before us a circular from one of the first cotton brokers in Liverpool, shewing that the gross average import of the above article from Bombay, Bengal, Madras, and Bourbon, for the years 1825, 1826, and 1827 (one of which was a year of excessive import) amounted to 66,117 bales, so that it appears that speculators in shipping have sent out *to this port alone* 1,812 tons more than, from a fair average, we may consider the *whole* tonnage likely to be required to take that staple to Europe for one year in all the ports eastward of the Cape of Good Hope.

Under these circumstances, it is rather a matter of surprise that a single bale of goods should be now left in the port waiting for conveyance to England, than that freight should be only a few shillings per ton.\*

If the above did not speak for itself, it would be thought impossible that any body of speculators or ship-owners could commit so grand a mistake as to send such a surplus above the demand, and that to a port where there is for some months in the twelve a fleet of large country ships ready to be thrown into the market should freight rise considerably, and this in face of a falling market for the article itself.—*Bom. Cour.*, July 5.

#### THE HIGHLAND SOCIETY.

A splendid dinner was given by the Highland Society at Lowjee Castle on the evening of the 18th June. The party assembled on this occasion amounted to upwards of fifty; the members of the society were all distinguished by some badge or ornament peculiar to the Highlands, so that "Tartans waved in the breeze." Justice having been done to an excellent dinner, the usual toasts were given from the chairs, which were most ably filled by the hon. Major-gen. Sir John Malcolm, G.C.B. and Sir John Peter Grant, puisne justice.

To those who were not present, it is quite impossible to convey any adequate idea of the true Highland spirit and great eloquence, which characterised the speeches of the president and vice-president; those who were present will not soon forget with what feelings of unmingled pleasure they listened to the speeches in question, and we only further say that Bombay has long been a stranger to such specimens of eloquence as marked that night. Neither was the song forgotten—"The death of Abercrombie"—"In the Garb of old Gaul," and many others, were sung in excellent style, and added not a little to the hilarity of the evening. The party separated

\* "A vessel has been offered on freight from this to England at 27s. per ton (the rate for conveying goods from London to Cornwall) and refused."—*Bom. Cour.*, June 28.

separated at "some woe short hour ayout the twal" in harmony and good fellowship.—*Bom. Gaz.*, June 25.

#### THE MOHURRUM.

An order to regulate the religious procession of the Mohurram, under a government regulation of 1827, was issued by the Bombay police, dated July 9, wherein it is, amongst other things, declared that, any person found drunk and riotous in the procession of any Taboot will be immediately taken into custody; persons caught uttering irritating and abusive language, tending to excite a breach of the peace, will be similarly dealt with; all Moghuls returning to the fort from evening prayer (during the Mohurram) at the mosque of the late Mohammed Ally Khan, are strictly enjoined to proceed peaceably and quietly, under the protection of the civil power; all persons molesting them by throwing stones, mud, &c. at them, are to be immediately taken into custody; in like manner will all persons be dealt with, caught interrupting the peaceable procession of "The Horse" on the last night of the Mohurram.

#### FIRE.

At nine o'clock on Saturday morning, the Hon. Company's coals, which are stowed in a godown near the cotton screws belonging to Messrs. Remington, Crawford and Co., were discovered to be on fire. It fortunately happened that the tide was in at the time; there was in consequence a plentiful supply of water, and we were happy to see every symptom of fire extinguished early in the evening. We observed the heads of the several marine departments making great exertions on this occasion, to save the destruction of the property contiguous.—*Bombay Gaz.*, July 30.

#### SHIP LAUNCH.

On Monday morning at about half-past eleven o'clock, was launched from the H.C. dock-yard, a new ten-gun brig, called the *Euphrates*. She went off in very fine style, and was christened by Mrs. Dewar, the lady of the Advocate-general, in the presence of Sir Chas. Malcolm, and a great concourse of people.—*Ibid.*, July 3.

#### SHIPPING.

##### Arrivals.

July 27. *Sovereign*, Nesfield, from Liverpool.  
—28. *Alcyone*, Mair, from Liverpool.

##### Departures.

July 26. *Admiral Benbow*, Crawford, for London.—27. *Medina*, Mordaunt, for Madras and Calcutta, and H.C.S. *Duchess of Athol*, Daniel, for China.—31. *Julia*, Grant, for London, and Cym-

berland, Steel, for China.—Aug. 4. *Symmetry*, Smith, for Ceylon and London.

#### BIRTHS.

July 3. At Darwar, the lady of Lieut. Thos. Harris, of a son.  
— At Bombay, Mrs. J. A. Higgs, of a son.  
15. At Rajcote, the lady of H. Hancock, Esq., 19th N.I., of a daughter.  
24. At Mattoonah, the lady of Capt. Jas. Barton, of artillery, of a son.  
*Lately*. At Ruthnagire, Mrs. Cabral, of a son.

#### MARRIAGE.

July 21. At Bombay, Mr. John Houghland, as assistant in the accountant general's office, to Miss Isabella M'Donald.

#### DEATHS.

June 11. At Poonah, Mrs. White, the lady of Assist. Surg. S. White, of this establishment.  
July 2. At Mhow, Ens. J. W. Hocking, 18th N.I., aged 20.  
21. In camp, near Deesa, Lieut. and Qu. Mast. J. B. Philip, 2d regt. European Infantry.  
27. On board the H.C. sloop of war *Cootie*, in Bombay harbour, Thos. Lawrence, Esq., surgeon of that ship, aged 23.

## Ceylon.

#### JUDICIAL APPOINTMENT.

June 16. John Lewis Vanderstraaten, Esq., to be private secretary to the Hon. the Puisne Justice.

#### THE REV. PHILIPPUS DE MELHO.

This eminent divine was the son of a Moodeliar of high rank, and descended from a respectable Vaisya family long settled in Colombo. Having completed his studies in the government seminary in that city, he was admitted into the service of the Presbyterian church as a proponent, (lecturer), and employed in revising and correcting the Tamul version of the Acts of the Apostles and part of the epistolary writings of St. Paul, which were prepared by the Dutch clergy and printed at Colombo in 1750, under the patronage of M. Gollennesse, the then governor of the Dutch possessions in Ceylon. Shortly after, Mr. Melho was ordained minister and appointed to the superintendence of the numerous churches of Jaffna, where he remained until his death, devoting much of his time to the acquirement of the Tamul literature, assisted by several of the distinguished native scholars there. Mr. Melho was master of many of the learned languages of the western hemisphere and his knowledge in Tamul was unbounded. He introduced himself to the public by the publication of a work on the Tamul Philology entitled *Nannool*, in the composition of which he has in some measure excelled the ancient grammarians. His next productions were addenda to the *Nigundú Solamany*, and several other scientific essays, most of which have been unfortunately lost. Whilst his attention was absorbed in the pursuit of human learning he was not remiss in his biblical labours, and

and the following works which have been published by him, bear ample testimony to his zeal and activity in that department: A Tamul translation of the Dutch work called *Triumph der Waarheid*; or, "The Refutation of the Errors of the Church of Rome, with a Latin Dedication to the Governor in Council," printed in 1753; A Tamul translation of the Formularies of the Presbyterian Church, together with the Psalms of David, in Tamul metre, printed in 1760; A complete version of the Holy Bible in the high Tamul, and many other useful tracts.—*Mul. Gaz.*

## Penang.

### SALE OF FARMS.

The Excise Revenue Farms of this settlement for the official year 1828-9 were put up for sale by public auction at the Custom House on Friday last, when those for arrack, pork, and toddy and bang were disposed of; but the opium and seere farms remained unsold till the next day, when the whole had found renters at the following monthly rates, *viz* :—

Opium.....	Sa. Rs. 5,894	—	—
Arrack .....	4,146	13	7
Pork .....	1,778	11	7
Toddy and Bang .....	1,641	14	5
Seerec.....	1,178	12	10

averaging an increase to the revenue upon all of the farms of Sa. Rs. 199 15 8 per mensem above their produce of last year. —*Penang Reg.* April 30.

### DEATHS.

June 2. At Kalso, Wm. Hare, Esq., of the Bengal civil service, eldest son of Dr. Hare, formerly of the Bengal establishment.

6. The lady of John Patullo, Esq., of the civil service of this presidency, eldest daughter of Dr. Hare, of the Bengal establishment.

## Singapore.

### BIRTHS.

May 10. The lady of A. Martin, Esq., of a daughter.

June 3. The lady of C. R. Read, Esq., of a still-born infant.

## Malacca.

### DEATH.

May 2. At sea, the Rev. Dr. Collie, principal of the college of Malacca.

## Madagascar.

### DEATH OF KING RADAMA.

Private letters from the Mauritius mention the arrival of intelligence there of the

death of Radama, the king of Madagascar, which took place on the 27th of July last. It will be recollected that during Sir Robert Farquhar's government of the Mauritius, and about the year 1820, a treaty was concluded with this chief, which had been projected and partially executed in 1817, by Sir R. Farquhar, for preventing the exportation of slaves from Madagascar, the object being to force the French and other nations to the abolition of this infamous traffic in that part of the world, by cutting off their principal supply. This treaty has been religiously observed, it is said, from the time of its execution up to the period of Radama's death, and will form hereafter a very remarkable portion of the history of the slave trade. It is to be feared, however, that the event may bring on a relapse into the former state of barbarism. One of the letters, in which it is mentioned, adds, that "one of his wives, by name Rananalane, has assumed the government. She promises to follow up Radama's plans, but, admitting that she has the inclination, it is to be doubted whether she possesses the power of enforcing a system, the maintenance of which required all the vigour and the uncompromising severity of Radama himself."

### DEATH.

July 30. At Tananarivo, the Rev. Daniel Tyerman, aged 54.

## Netherlands India.

### DEATH.

Latest. At Batavia, Mrs. Phillips, sister of Richard Thornton, Esq., of the house of Thornton and West, of London. The deceased lady has had, for many years, the sole management of the business of the above house at Batavia, and in the eastern archipelago.

## Persia.

A letter from Tabreez, dated March 18, which states that the Persian territories were to be evacuated by the Russian troops on the 21st of that month, adds the following remarks :—

"The war has demonstrated to the Persian monarch, the degree of reliance to be placed in his subjects. Abbas Mirza, the acknowledged successor to the throne, is said to be utterly devoid of all military talents, and to be guided on all occasions by the lowest favourites: Persia is, in fact, divided into a number of small states held together only as long as the present old king lives. The British government, it is supposed, will pay 200,000 tomans on condition that Persia claims no future pecuniary aid."

## China.

### CHINESE ACCOUNT OF CHANGKIHUR.

There are at present in Canton a great many convicts (some say a thousand), who have obtained their liberty, in consequence of their services in the war against Changkihur. One of them has stated that the rebellion arose from great provocation on the part of government officers; as indeed rebellions, insurrections, revolutions, and rows generally do.

Changkihur was rich, liberal, and kind; ever ready to advocate the cause of the oppressed. The Mahomedans regarded him as a divine being; and in all their difficulties would run hundreds of miles to tell their grievances to Changkihur, and listen to his decision. They called him a *Shing-jin*, holy man, sage, or prophet; as the Mahomedans use the word *Shingjin*. But the Chinamen, both common people and government officers, insulted and oppressed the Mahomedans, just as the gentry of Canton insult the poor Tanka-boat people. This insult and oppression were not for one day only, but continual; and the Mahomedans cherished their indignation and resentment against the Chinese. Their wrath occasionally burst forth during the last ten years. At last, some of the Mahomedans having cultivated ground, it was usurped by the Chinese. The owners appealed to the Chinese authorities, who gave them no redress; and instead of helping the Mahomedans, punished them. The aggrieved farmers run to Changkihur, to state their wrongs. Changkihur then stood forth in their behalf, and appealed to the Chinese authorities. They assailed him with the charge of interference in matters not his own; with being receiver-general of all complaints, and such like illegalities, and subjected him to the chastisement of forty blows of the bamboo, and added insult to the oppression of the Mahomedans. Hence (says our Chinese authority) *designing* Mahomedans excited the multitude to declare for Changkihur, and honour him as their head and leader! Thus he became a rebel, at the head of hundreds of thousands. He essayed the deliverance of the oppressed, and has failed. Terrible is the fate which awaits him.

*Another Account.*—The rebellion of Changkihur on first breaking out was most formidable. The rebels took every city they attacked; they gained every battle they fought. And hence the Mahomedan cities, although strong, having Changkihur's friends inside, fell as soon as they were assailed. In one day four submitted. And after taking the cities, all Chinese, whether belonging to the army or the people, were men and women, old and young, indiscriminately butchered, to "ooze out the accumulated re-

sentiment which had long been gathering." The blood flowed like a river. The dead were every where strewed across the desert. The cruel revenge the rebels took, is truly more than human nature can bear to describe. Let tyrants tremble!—*Canton Reg. May 3.*

### TRADE.

We never recollect to have seen the commercial state of affairs so completely inactive as they have remained for some time past; for, with the exception of opium, which may be considered as excluded from the regular trade of this port, there is not a demand for a single article. The reports of the tumults in the northern provinces having terminated, by the capture of the rebel leader being confirmed, is an event which may create a return of adventure to that portion of the empire, which it seems the late warfare had much interrupted, and this may give life to a considerable part of the foreign commerce of Canton. The scarcity of money seems to be very generally felt; and this, added to the approaching annual period for the payment of the government duties, and the agitation of some local commercial arrangements, may greatly interfere with the spirit necessary to mercantile operations.—*Ibid. April 26.*

## Australasia.

### NEW SOUTH WALES.

#### DEATH.

May 26. At Sydney, John Oxley, Esq., surveyor general of New South Wales.

## Polynesia.

### NEW ZEALAND.

Communications from the Wesleyan mission in New Zealand, dated in March last, supply the following interesting particulars. The death of the warrior 'Honghi (or Shungshi), who was once in England, and who had the honour of being presented to his present Majesty, will be read with regret:

"'Honghi, the hero of New Zealand, is at length numbered with the clouds of the valley! A party of the 'Hokianga natives were on a visit to him, at Wangaroa, when he died. Patuone, who was one of them, related the following circumstances. He and his party reached Wangaroa on the 4th March; they were much grieved to find 'Honghi so dreadfully emaciated. They lifted up their voices and wept; and the sick warrior himself was so much affected, that for some time he had no power to speak. They told him that they feared he was near death, which, however, he denied, and said he was never in better spirits

rits in his life. On the following day they intended to depart, but finding him worse, they resolved to remain. 'Honghi now became conscious of his approaching dissolution, and bequeathed to his sons his implements of war, amongst which was the coat of mail presented to him, when in England, by his Majesty King George the Fourth. He told his friends he hardly expected they would be attacked after his death; but exhorted them, if they should be, never to yield to their enemies, however numerous they might be, as it was only thus they could obtain a hutu or satisfaction for his death. On the morning of the 6th he repeatedly exclaimed, "Kia, toa! Kia toa!" Be courageous! Be courageous! And such exhortations as these employed his quivering lips till he expired.

"On the same day that 'Honghi died at Wangaroa, 'Tiki, a son of the late Pomane, was killed at Waima, a district in 'Hokianga, by a chief of the tribe called Mahurihuri. The circumstances which led to his death were these: some of 'Tiki's pigs had been stolen by the natives of Waima, and he was seeking hutu (satisfaction), when the fatal assault took place which caused his death.

"On the 25th March, through the instrumentality of the missionaries, a permanent peace was concluded between the Bay-of-Islanders and the 'Hokianga tribes; and now the former have returned home, and the latter are dispersing to their several

places of abode. If a battle had occurred, it would, in all probability, have been the most desperate and bloody that ever took place in New Zealand. There was little disproportion in the forces, either in men or muskets, and there was a feeling of deadly exasperation prevailing among them; many of them were like chained bull-dogs, eager to fly upon their antagonists. It is therefore a matter of great and peculiar thankfulness that these alarming commotions have been conducted to so peaceful an issue, and that the cloud which wore towards us so black an aspect has passed away.

"There is one other circumstance, which, as it seems to be an instance of providential retribution, should not be omitted. Oro, the man who directed the plundering of the mission premises at Wangaroa, was killed on the 15th of March. His body was found on Sunday the 23d, and cut up into quarters by his friends, in order to carry it in baskets to his native place, at the Bay-of-Islands, for interment. This seems horrible to an Englishman; but it was done out of kindness. A day or two before, Muriwai, on observing his dog come home with a full paunch, said to Capt. Clarke, "Do you see that dog? He is just come home full, after having been feeding on the body of Oro, the fellow that robbed the missionaries at Wangaroa." —*Sydney Gazette*, May 26.

## INDIA SECURITIES AND EXCHANGES.

*Calcutta, Aug. 7, 1828.*

### Government Securities.

Buy.] Rs. As.	Rs. As. [Sell
Prem. 25 8 Remittable .....	24 8 Prem
Disc. 0 2 Old Five per cent. Loan ..	0 10 Disc.
Prem. 0 4 New ditto ditto .....	0 2 1/2 Dis.
5,000 0 Bank of Bengal Share 5,600 0	

### Rates of Exchange.

On London, 6 months' sight,—to buy 1s. 10 1/2 d.  
—to sell 1s. 11 d. per Sicca Rupee.

### Bank of Bengal Rates.

Discount on private bills and notes	7 0 per cent.
Ditto on government and salary bills	4 0
Interest on loans on deposit, 2 months	6 0

Bank of Bengal Dividend, payable 4th July.

Thirty-ninth half-year's dividend—Sa. Rs. 10 8 per cent. per annum, or Sa. Rs. 525 for each share.

*Madras, Aug. 20, 1828.*

### Government Securities.

Six per cent. Bengal Remittable Loan.

At the Rate of Subscription, viz. 350	
Madras Rs. per 335 Sa. Rs. ....	26 1/2 Prem.
At the Rate prevailing among Merchants and Brokers in buying and selling Public Securities, viz. 100 1/2 Madras Rs. per 100 Sa. Rs. ....	26 1/2 Prem.

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### Five per cent. Bengal Unremittable Loan.

At the Rate of Subscription, viz. 350	
Madras Rs. per 335 Sa. Rs. ....	2 1/2 Prem.
At the Rate prevailing among Merchants and Brokers in buying and selling Public Securities, viz. 100 1/2 Madras Rs. per 100 Sa. Rs. ....	3 1/2 Prem.

Five per cent. Bengal New Five per cent. Loan, dated 18th Aug. 1825.

At the Rate of Subscription, viz. 100 1/2	
Madras Rs. per 100 Sa. Rs. ....	1 1/2 Prem.

*Bombay, Aug. 9, 1828.*

### Exchange.

On London, at 6 months' sight, 1s. 8 1/2 d. per Rupee.  
On Calcutta, at 30 days' sight, 106 Bom. Rs. per 100 Sicca Rupees.  
On Madras, at 30 days' sight, 100 Bom. Rs. per 100 Madras Rs.

### Government Securities.

Remittable Loan, 135 Bom. Rs. per 100 Sa. Rs.  
Old 5 per cent.—106 Bom. Rs. per 100 Sa. Rs.  
New 5 per cent.—108-2 Bom. Rs. per 100 Sa. Rs.

*Singapore, July 12, 1828.*

### Exchange.

Gov. Bills on Bengal, per 100 Sp. Ds. 207 Sa. Rs.  
Private Bills on ditto—none.  
Private Bills on London, per Sp. Dr. 4s. 2d.—none.

## DEBATE AT THE EAST-INDIA HOUSE.

*East-India House, Dec. 17.*

A Quarterly General Court of Proprietors of East-India Stock was this day held, pursuant to the charter, for the purpose of declaring a dividend on the Company's capital stock for the half-year commencing at Midsummer last, and ending at Christmas next.

The minutes of the last court having been read—

The *Chairman* (Wm. Astell, Esq.) said, "Gentlemen, it is usual at this time of the year to lay before you, in conformity with the by-law, an account stating the general situation of the Company's affairs. I am sorry to say that in consequence of the necessary documents from Bengal, having arrived at this house only on Saturday last, it has not been in the court's power to prepare the account in sufficient time to comply with the By Law. Last year, a similar circumstance occasioned a similar delay, and pressing instructions were sent out to Bengal; but sufficient time had not elapsed to enable the Directors to receive an answer."

## EAST-INDIA VOLUNTEERS.

The *Chairman*.—"I have now to lay before the court a statement of the expense incurred on account of the regiment of Royal East-India Volunteers, for the year ending the 31st of July 1828."

The account was then read by the clerk, from which it appeared, that the estimated expense, from the 1st of August 1827 to the 31st of July 1828, was £3,957; the actual expense £3,445; being £512 less than the estimate. The estimate of the expense from the 1st of August 1828 to the 31st of July 1829, was £3,847.

## HALF-YEAR'S DIVIDEND.

The *Chairman*.—"I have next to state, that the Court of Directors have come to a decision to recommend a dividend of  $5\frac{1}{2}$  per cent. on the Company's stock for the half-year ending at Christmas next.

The clerk then read the resolution, as follows:—

"At a Court of Directors held on Tuesday, the 16th of December 1828.—Resolved unanimously, that it be recommended to the general court to be held to-morrow, to declare a dividend of  $5\frac{1}{2}$  per cent. on the capital stock of this Company, for the half-year commencing the 5th of July last, and ending the 5th of January next."

The *Chairman*.—"I beg leave to move—

"That the dividend for the half-year ending the 5th of January next be  $5\frac{1}{2}$  per cent."

The *Deputy Chairman* (John Loch, Esq.) seconded the motion.

General Thornton said, he did not rise to object to the usual dividend on this occasion, but merely to make an observation connected with it. He believed, so far as he recollected, that the usual notice given, when a dividend on the capital stock of the Company was declared to be due on the 5th of January, was, that it should be paid on the following day, the 6th of January. He found, however, by the present advertisement, that the dividend warrants would not be issued till the 15th, making a difference of nine days. He thought it necessary to bring this point to the notice of the court. Probably there might be very good reason for this alteration; but he should like to hear what that reason was. It had been generally considered as a great advantage to the holders of East-India stock that the dividends were payable several days before the dividends or the government securities.

The *Chairman*.—"If the hon. proprietor had allowed him to put the question, on the motion it was his (the Chairman's) intention to have stated, what indeed must have occurred to the mind of every gentleman. The fact was, it should have been advertised that the dividend warrants would be ready for delivery on the 6th instant; but by some mistake or inadvertence in copying the advertisement, the 15th was inserted instead of the 6th, (*Hear!*) The usual course would be taken; and the warrants would be issued on the 6th. (*Hear!*)

The motion was then carried unanimously.

The *Chairman*.—"This is a quarterly general court, and no further business offering, I take leave to move that this court do now adjourn."

## BURNING OF INDIAN WIDOWS.

Mr. Poynder wished, before the court adjourned, to ask whether the hon. chairman had any communication to make to the proprietors on a subject which had been largely agitated in that court two years since; he meant on the important question of *suttees*? He should be glad to learn whether the hon. chairman had any thing to state to the court on this subject? whether any steps had been taken to revoke that system of authorised but appalling and abominable murder?

Mr. S. Dixon.—"I rise to order. If the hon. proprietor rise to ask a question, I think he should confine himself strictly to the point. He has no right to have recourse to declamation, or to an explanation of his feelings."

Mr. Poynder.—"If the hon. proprietor had waited a moment, he would have found

found that I was nearly at the end of my question. Indeed, I may say that I was at the end of it. As it is, however, I shall leave it in your hands, and I hope to receive a satisfactory answer."

**Mr. Hume.**—"I think that the hon. proprietor himself is not in order when he interrupts the hon. member in asking a question where the cause of humanity is so deeply concerned."

**Mr. S. Dixon.**—"I again rise to order. I did not say a syllable until I heard the word *murder* used; and, as I naturally expected that something strong would follow it, I stated, that the hon. proprietor ought to confine himself strictly to the question."

**Mr. Hume.**—"The hon. proprietor ought to know, if he does not, the situation in which we are placed, on this occasion, with respect to this question. There is not a quarter of the country in which meetings are not convened to petition against the continuance of this shocking practice; and yet, when a gentleman gets up, actuated by the best intentions, impelled by motives of humanity, to ask a question on a subject which has excited a great sensation throughout the country, he is immediately called to order. In every part of the country meetings are held, from day to day, at which scenes of atrocity are described, connected with those suttees, to an extent that makes humanity shudder."

**Mr. Wigram.**—"I wish to remind the hon. proprietor that there is no question before the court."

**Mr. Hume.**—"I beg the hon. director's pardon, there is a question."

**Mr. Wigram.**—"I mean to say, that there is no motion before the court, although there is a question; and I think that the hon. proprietor who called the propounder of that question to order was perfectly right in doing so, because the hon. gentleman was going into the subject. The hon. proprietor who had just sat down, was also going to enter into the merits of the question, which is not correct. As this is a quarterly general court, either of those hon. proprietors may, if he please, bring forward any specific motion, founded on his particular view of the subject; but it is not regular, on the mere asking of a question, to raise an argument."

The *Chairman* said, as he was called on by the hon. proprietor to answer a question, he was ready to do so in the fullest manner. He understood the question to be, whether any communication had been received from India, subsequently to the opinion expressed by that court, on the subject of suttees? In answer, he had to state, that the Court of Directors had very recently received a despatch on this point; the substance of

which was, that the Indian Government had called on the local authorities to report on this subject, and that they would send home the results, as soon as the full report was made. Such was the substance of the statement.

The clerk then read the despatch:—from the Bengal government dated the 10th April last.

Hon. Sirs: We have the honour to acknowledge the receipt of your hon. court's despatch under date the 25th of July 1827, and to transmit to your hon. court copies of the reports of suttees for the years 1825 and 1826, received from the court of Nizamut Adawlut, together with copies of our resolutions passed thereon, and of various other documents on the same subject, recorded on our proceedings of the 6th ultimo.

For the opinions entertained by your late governor-general and the members of the board respectively, on the expediency of direct interference in suppressing the rite of suttee, we beg to refer your hon. court to the several minutes recorded on our proceedings.

It is justly observed by your hon. court, in the despatch under acknowledgment, that one of the difficulties attendant on the consideration of this question arises from the difference of opinion which prevails amongst the ablest of your public functionaries as to the safety of such interference; and when it is considered how many circumstances, independently of practical observation and knowledge of the native character, may influence them in forming their judgment on the subject, it becomes extremely difficult to decide on the degree of weight which should be attached to the sentiments of each individual, and still more so, which set of opinions should be allowed to preponderate.

Officers who have acquired their experience chiefly in one part of the country, from observing the frequent occurrence of suttees, are led to consider the evil to be of so crying a nature that it ought to be put down at all risks; while others in a different quarter, where the rite is rarely observed, think it scarcely deserving the hazard of interference. In some districts the dispositions of the people are prone to violence, and their minds easily excited: in others the apathy of their general character, and perfect submission to the will of their rulers, precludes any grounds for apprehension that they would offer the slightest opposition to the orders of the local authorities.

On perusing the reports now transmitted, your hon. court will not fail to notice with satisfaction that the number of suttees in 1826 fell considerably short of that reported in any of the four preceding years, and we trust that the favourable results of that year warrant our expectation that the diminution may be progressive.

In submitting their report of suttees for the year 1827, the court of Nizamut Adawlut have been directed to endeavour to ascertain the cause of any extraordinary discrepancies which the returns from the local officers may exhibit in the number of instances which may have taken place during that year in their respective districts compared with other adjoining jurisdictions, as well as the cause of the greater prevalence of the practice in the neighbourhood of Calcutta than in other parts of the country, in the hope that such explanations may tend to facilitate our determination on the measures which it may be deemed expedient to adopt hereafter, should our expectations of a gradual diminution of suttees not be realized.

**Mr. Poynder.**—"I am greatly obliged to you, sir, for this communication. It now appears that the years 1825 and 1826 are both reported on. The last report to Parliament extended only to 1824. I now beg leave to ask, what is the gross number of women sacrificed in 1825?"

The *Chairman*.—"I have not the means, on the moment, of answering the question."

**Mr. Poynder.**—"If the report did not state that the number of suttees in 1825  
and



and 1826 was furnished, if it did not also institute a comparison, and state that the number of suttees was lower in 1826 than in any former reported year, I would have been the last to have asked the question."

Mr. *Hume*.—"It is evident from what has been just read, that a paper is annexed to the despatch, which will afford an answer to the question."

The paper was then sent for.

#### SURVEY OF THE INDIAN COASTS.

Dr. *Patterson* said, as there was a pause in the business of the court, he wished to ask a question on a subject of some importance, and he was sure that a favourable answer would give much satisfaction. The subject he alluded to, namely, the great survey of the Indian coast (as we understood) had, he was sorry to say, been lost sight of for a great number of years. If the hon. chairman could give any information on this point, it would be extremely gratifying to himself and other proprietors.

The *Chairman* said, he was happy to be able to give extremely satisfactory information on this subject. The work was now going on under the superintendence of a gentleman possessed of great skill and science; and who was now occupied with the Malabar coast. (*Hear!*)

#### BURNING OF INDIAN WIDOWS.

The *Chairman*.—"I have now received the paper, from which I am enabled to afford the hon. gentleman (Mr. Poynder) the information he requires. If he had stated his intention to have asked for such information, I should have been prepared to have answered him, and this delay might have been avoided. The number of suttees in 1824 was 572; in 1825, 639; in 1826, only 518; being a diminution in 1826, as compared with 1825, of 121."

Mr. *Poynder*.—"Then the lowest amount sacrificed was, on an average, eight and forty in each month, during 1825 and 1826. I am not now prepared with any notice of motion to call the attention of this court, and of the country at large, to the continuance of this iniquitous and unnecessary system; but certainly some proposition ought to be made, and will, I trust, be made, for its entire extinction."

Mr. *Hume* said, perhaps it would be admitted that he was now competent to make a few remarks in this stage of the business. He held in his hand a paper, to which he begged leave to call the attention of the court, because it shewed the daily increasing interest which this subject excited. Perhaps gentlemen were not cognizant of the fact, that papers expressive of the feelings of the humane, on this topic, were disseminated in every

part of the country, and that societies were forming in various places, whose object was, to pray for the abolition of so horrible a system. The paper to which he had alluded ran thus:—

"The public are requested to consider, that during the last ten years, 5,997 females, in Bengal, were allowed to sacrifice themselves. This was done under a Christian government, which had not endeavoured to prevent it; and the society called out against the inhumanity of permitting such a system to exist any longer."

Such was the communication which he had this morning received from Coventry, where proceedings for the abolition of the system had taken place on the 1st of December. He did, for one, most earnestly enter his protest against the opinions of those who argued, that sacrifices of this revolting nature were authorized and enjoined by the religion of the country over which the Company ruled; (*hear!*) and therefore inferred that most disastrous consequences would follow our interference. (*Hear!*) He denied the premises and the conclusion. He did most sincerely think that no danger whatever would result to the Indian empire by our interfering to put an end to so atrocious a practice. (*Hear!*) He did not wish to see the rulers of that country coming in contact with the religious feelings of the natives; quite the contrary. But he did not believe that the natives were so rootedly attached to this system, as some gentlemen seemed to suppose; and, so strong was his feeling on the subject—a feeling founded on the papers laid before Parliament—that, if his other avocations had permitted him, he certainly would have attended in that court for the purpose of supporting the affirmative of any proposition having for its object the extirpation of this barbarous custom. (*Hear!*) He thought that the court ought to come to a clear and decided determination on the subject; and he would even say, that they ought to run the risk of any trifling disturbance (for, if there were any disturbance, sure he was that it would be trifling) in order to obtain so desirable an object. They were, in fact, bound to interfere, for the purpose of abolishing this inhuman rite. (*Hear!*) He saw, by the report which had been read, that the Government abroad had paid attention to the subject. He knew that it was difficult for those persons to take upon themselves a serious responsibility without the directions of the executive body. He, therefore, thought that it was the duty of the Court of Directors to give orders to the Indian Government, and that, too, without delay, to take the necessary steps for the removal of the practice. (*Hear!*) The system, he would contend, called for the adoption of some immediate, decisive, and vigorous act, for its suppression. Would this be their

their interference with the customs and prejudices of the natives? Certainly not. He would ask, what had been done by Col. Walker? Did he not put an end to a monstrous abuse? Did he not effectually check the practice of infanticide—a practice just as difficult to be interfered with as that which was now under discussion? (*Hear!*) He thanked the hon. proprietor for introducing the subject; and, in the absence of a learned friend (Mr. R. Jackson), who was unable to attend this day, and who, had he been present, would have again raised his voice against the continuance of this system, he felt himself called on to express his strongest hostility to it. He contended that, backed as the Directors were by the feelings and sentiments of the whole British public, they ought to take some effectual step to put an end to a cruel and disgraceful practice. In his view of the case, the hon. proprietor who had introduced this question was quite regular in the course he had taken, notwithstanding the interruption he had met with.

Mr. S. Dixon could assure the hon. proprietor that, in acting as he had done, he was not impelled by any feeling of hostility towards the object which the hon. proprietor had at heart. He really would be very sorry to leave the court under any such unfavourable impression. (*Hear!*) He hoped he might put in his claim for some degree of humanity, as well as those gentlemen who seemed to put in a claim for a monopoly of that article. (*A laugh.*) He was, in his own mind, perfectly satisfied, that there was not a man in this kingdom—that there was not one of the directors—that there was not one of the proprietors—but would be just as glad to see the termination of this horrid practice as the hon. gentlemen themselves who had taken so prominent a part in the different discussions to which it had given rise. (*Hear!*) But had nothing been done—had no effort been made to discountenance the practice? Why, it must be fresh in the recollection of all, that a resolution had passed this court on the subject, and had, he supposed, been transmitted to India. After this, and after assurances had been given that representations should be made to the governing powers in India to pay particular attention to the subject, the Directors had, it appeared, received a communication relative to it. That communication fully proved that the Directors had not lost sight of the matter. He was sure that they would not lose sight of it; but that every thing consistent with security and propriety would be done; and therefore he hoped that they would not be advised to take any rash or precipitate course.

Mr. Poynder.—“I wish to correct a single statement of the hon. proprietor.

He says that the resolution of this court of proprietors went out to India. Now, I am prepared to deny that statement, and that, sir, from no other authority than your own. That resolution was not sent to India, and therefore, any direction that may have been given, must have emanated from the Court of Directors, and not from us.”

Here the conversation ended.

#### CONVEYANCE OF LETTERS IN INDIA.

Mr. Hume.—As this was a quarterly general court, at which all subjects connected with the Company's affairs might be introduced, he begged leave to make a few observations, similar to those which he had offered on a former occasion. Every man knew the secrecy and expedition which attended the conveyance of letters in this country; but he was afraid that as much could not be said for the practice pursued in India. About two years ago he brought before the court what appeared to him to be a very great abuse. He had been informed, that the postmasters in India were not content with a knowledge of the name of the person to whom the letter was addressed, but required also the name of the writer. He was answered when he made this statement, that he laboured under some mistake, and that no such system of *espionnage* (which was certainly unknown in any country of Europe, save one) prevailed in India. He was, at the time, satisfied with the statement of the Chairman, and was disposed to think that there was some mistake in the business; but, in the last month, a document had been sent to him, which proved that his information was perfectly correct; and, when he had read that document, he would put it to any hon. proprietor, he would put it to any man, who wished private communications to be held sacred; yes, he would ask him, whether it was right that the government should be made acquainted with the name of the writer of every letter that passed through the Indian post-office? The document to which he had alluded was signed “E. Elliott,” and dated “General Post-Office, Jan. 21, 1828;” and it set forth, that “it being a standing rule of the post-office, that the names of the senders of all letters, as well as the names of those to whom they were addressed, should be known, in order to assist in tracing letters that may fail to reach their destination, the postmaster-general directs that the names may be so specified in the book kept for that purpose. This caution is given with a view to prevent the necessity of returning letters to the senders, who might in consequence miss the post of that day.” Now, he could not understand, why there should

should be should a jealousy, such a distrust of communications proceeding through this channel. He never knew of its existence in that country until he was apprized of the fact two years since, and he could not conceive any circumstance that called for or justified it. Perhaps it would be said, that if such a precaution were not taken, the post-office would be burdened with letters directed to persons who could not be found, and that to prevent the revenue from being injured in consequence, it was necessary, where the person to whom the letter was addressed could not be discovered: to know the name of the party by whom it was written. But this was a futile argument, because in India the person putting in the letter paid the postage, and therefore the revenue could not suffer; the loss fell on the sender if the letter failed to reach its destination. If there were any thing which tended more than another to do essential service to a government, it was a manifestation of a desire on the part of that government to stand well with those who were its subjects; that was the sure way to cause the governing body to be respected; and, on the other hand, nothing could render a government more unpopular than the appearance of suspicion and distrust. Now, such a notice as that which he held in his hand, emanating from the postmaster-general, tended very much, in his opinion, to create feelings of a most unpleasant kind towards the government. If, therefore, it was in the power of the Court of Directors,—if this standing rule had been adopted by them—he would fain hope that they would immediately put an end to the practice which it was meant to enforce.

Mr. Tucker expressed his surprise, that a gentleman who knew the usages of India so well as the hon. proprietor did, should have indulged in such observations as had just been made. The practice to which he had alluded was not adopted with any sinister view, but was certainly meant for the security of the letter and the satisfaction of the party sending it.—(Hear!) It was customary, as the hon. proprietor ought to know, to superscribe, when a letter was delivered at the post-office (here the hon. director quoted the Persian words, which are used on these occasions, meaning) “it is sent by such a gentleman.” This was done in order, if the letter could not be delivered, that the proper authority might know to whom it ought to be returned. Every individual kept a little memorandum-book, in which entries of this nature appeared. Those entries proved any given letter to have been delivered, and the system was adopted to prevent any servant entrusted with a letter from appro-

priating the postage to his own use, by withholding the letter from the post-office. He would assert that it was a useful regulation. He spoke of his own time, when he was conversant with the business of that department, and he denied most distinctly that any thing like a system of *espionnage* prevailed.—(Hear!) He never heard of any such thing; it was never even whispered that letters were subject to supervision for any private or public purpose whatsoever. He firmly believed that letters were held to be as sacred in the post-office of India as they were in the post-office here. No suspicion, so far as he knew, had ever attached to the conduct of those connected with the Indian post-office. He had never heard it even hinted that the powers entrusted to that department had been improperly dealt with; and, undoubtedly, he had the opportunity of knowing if mistrust or suspicion had produced any such consequences as those to which the hon. proprietor had alluded. Nothing of the kind, so far as his (Mr. Tucker's) knowledge extended, had ever taken place. The circumstances which the hon. proprietor himself had stated did not go to prove, in any degree whatever, either that there was an abuse of the powers vested in the post-office, or that this regulation was adopted for any other purpose than that of affording security to letters, and of giving satisfaction to those by whom they were sent.—(Hear!)

An hon. Proprietor said, if the hon. gentleman (Mr. Hume) would look fairly to the advantage derived from this regulation, he would praise rather than censure it. It was in fact a matter of private convenience and nothing else. It was entirely a private and optional arrangement for private purposes.

Mr. Hume begged leave to deny that it was an optional arrangement. The individual who had sent the regulation to him stated that it was imperative, and that at the post-office they would not take a letter without knowing the names both of the person sending the letter and the individual written to. What the hon. director (Mr. Tucker) had said might be very true with reference to his time, but circumstances of which the hon. director could not be cognizant might have happened since he was in India. The regulation which he had read, and which was issued in Bengal, either meant something or nothing. If it were meant that it should in all cases be complied with, it argued a degree of distrust and suspicion; it shewed an anxious and prying desire that all individuals writing letters should be known; it savoured of a species of *espionnage* which was disgraceful to the government. Such a system was not correct; no inconvenience could result from its abolition, and it ought to be removed.

The knowledge that such a practice was enforced would, in many instances, prevent letters from being answered. He would take the case of a public newspaper. Suppose any individual in the habit of editing a journal wished to keep up a correspondence in that journal on some question not pleasing to the public authorities, on some impropriety which he desired to have redressed, and in exposing which he endeavoured to procure the best information; would not this regulation, which compelled the writers of letters to give up their names, be evidently the means of checking and preventing that correspondence, and of hindering the individual from pointing out and exposing any abuse which he might feel anxious to remove? His hon. friend within the bar (Mr. Tucker), who had spoken with considerable warmth, must be well aware that if there be a standing order of the government, that order must be obeyed. He (Mr. Hume) knew what the practice was in that country. He knew that when any individual sent a letter, it had been customary to say that such a letter had been sent, and that the postage had been paid. But, suppose a person did not wish that an entry of this kind should be made; in that case, he asked, would the letter go under the existing regulation? The government required that this entry should be made; they were ready to forward the letter provided the person sending it gave up his name. He would ask, was it not shameful for the government to issue an order of this kind? It was said that nothing like a system of *espionnage* existed, and that the practice was never complained of. If this were the case, if no advantage were taken of the system, if no abuse followed from it, if it never were complained of, then, in his opinion, it might as well be removed, and with it all fears lest it might be made use of to effect an improper object.

Mr. Tucker.—The great question was, the object with a view to the attainment of which this regulation was framed. He would say from his own experience, that the object of the order was the security of the letter and of the postage and the satisfaction of the person sending it, without any reference to the introduction of a system of *espionnage* at the post-office. That confidence which ought to be placed in a public department had not, he was persuaded, been betrayed by the public functionaries in India; and the regulation of which the hon. proprietor complained never had in view the object which his hon. friend attributed to it. He repeated, that it was simply framed to ensure the security of the letter and of the postage, and to give satisfaction to the person sending it.

The *Chairman* said he was quite ready

to leave this question on the ground on which it had been placed by the hon. proprietor who had adverted to it, and by the hon. director who had just spoken, the experience of each of whom gave great weight to their observations. He would, however, say that the regulation to which their attention had been called was of old date. It was a long time in being, and could have no reference to any such abuse as that which the hon. proprietor seemed to suppose existed at present. It was a regulation which, he conceived, was framed for the benefit of the writer, because it was calculated to satisfy the writer of a letter that it was properly disposed of. He thought that the alarm taken by the hon. proprietor was without foundation, for he was quite certain that no fear was to be apprehended lest the correspondence of any individual should be improperly examined. Before he adjourned the court he wished to make one or two observations on the subject which had first engaged their attention this day; and, in the first place, he begged leave to say that he felt very much indebted for the remarks made by the hon. proprietor in the corner (Mr. S. Dixon) when he gave to himself, to his colleagues, and, indeed, to the whole court, credit for cherishing an anxious desire to remove the practice of *suttees*.—(Hear!) No man, he believed, could entertain a difference of opinion on the subject. "The system of *suttee* is one which we wish most earnestly to put an end to; but whether that object is to be effected by a direct command from the authorities at home (as the hon. proprietor, Mr. Hume, thinks it ought to be), a practice, be it observed, which those on the other side of the water are afraid to put down by force, is a matter that requires deep consideration.—(Hear!)—If, then, our government abroad have strong doubts on this subject, I ask, whether we on this side of the water ought not to pause before we determine to proceed?—(Hear.) If those living on the spot, and having the best means of judging of the feelings and prejudices of the natives, are wary and cautious in approaching this question, how much more does it behove us to act with caution, with temper, with moderation?—(Hear.) For my part, I think the best course is to leave the subject in the hands of the government, and the decrease in the number of *suttees* to the amount of 121 in the course of the last year, appears to me to afford *prima facie* evidence, that the custom is gradually on the decline.—(Hear.)

#### APPOINTMENT OF INTERPRETERS.

Mr. Hume rose to ask whether (agreeably to a resolution, which had passed in this

this court about two years ago) returns had been made of the number of persons who had qualified themselves, to act as interpreters in India? He wished to know whether such returns had been regularly sent home; because, if he were correct in his information, the matter stood thus, namely, in Bombay the regulation was strictly attended to, while in Madras, and even in Bengal, it was not so generally complied with. He should hope, therefore, that if any returns had been received, there would be no objection to laying them before the proprietors for their information. He made this observation because, while every one in this country admitted the propriety of those going out to India learning and making themselves masters of the native languages, he should like to see that a reward was conferred on those who applied themselves successfully to such useful studies, and he was sorry to hear that the government, in many cases, had not appointed those persons to interpreterships who had qualified themselves in India for that purpose. He should be glad, therefore, if the Court of Directors could shew that all the individuals appointed had been examined as to their proficiency. He, however, believed that he could make it appear that all who had been appointed were not duly qualified. Some had been tried for a twelvemonth or more, and at the end of that time had been obliged to retire. He should like to see their officers instructed as well as possible, and nothing could be devised for promoting such an object better than frequent reports to the Court of Directors. Perhaps he might be excused if he here adverted to what had always been a favourite plan of his, although he would not say that it was therefore the more proper to be followed—he alluded to the education of the young men before they went abroad. He would contend that many of the officers now sent out to India were not qualified to fill their situations properly. He highly approved of the system which was pursued at the Military Seminary at Addiscombe, where a species of education was afforded that could not be easily procured elsewhere—certainly not on the same terms. In his opinion—an opinion founded upon long observation—the Court of Directors ought to make it imperative on every young man, before going out to India, to submit to a certain examination, that his qualifications might be known. It had been formerly said, that this indeed was a desirable object—but that, from the great number of young men sent out, it could not be carried into effect. Now, however, the time had come when they were about to reduce their lieutenants and ensigns, when an end would be

put, in a considerable degree, to promotions in India. As, therefore, the army would be much reduced, they might come to a resolution at that moment, that henceforth no young men should be sent out to India without undergoing a certain examination. He understood that they might have some of their young men sent to the military college at Sandhurst at an expense as moderate as that which was charged at their own college, and have them by that means placed in a situation much better for the Company's service than that in which they now stood. Some examination, some test of ability should be required, before the young men were sent to India. This was not a question in which his individual interest, or that of any other party in the court, was concerned, but it was a question in which every young man going abroad was concerned; it was a question in which the great interests of India were particularly concerned. The recommendation to which he ventured to call the attention of the court, he had advanced and supported for, he believed, the ninety-ninth time, and the present he thought, for the reasons he had already given, a fit and proper hour to take it into serious consideration. He knew that the Court of Directors were desirous of having the most able men in their service; and, admitting that to be the case, there was now an opportunity for laying a good foundation, and commencing a better system than that which had heretofore prevailed.

Mr. *Poynder*.—"I hope I may be allowed to make a single observation. I respect the opinion delivered by the hon. proprietor opposite, namely, that every man in this court desires the extinction of the system of—"

Mr. *Tucker*.—"I rise to order. Before the hon. proprietor makes his observation, let an answer be given to the question of the hon. member for Montrose."

The *Chairman* said that certainly the hon. and learned proprietor had not taken a fit opportunity to speak on the subject to which he was evidently about to refer. It was open to him, at a future moment, to observe upon that question; but undoubtedly the hon. member for Montrose, or rather the subject introduced by him, had at present possession of the court. As to the expediency of educating the young men going out to India in a particular branch of knowledge, and of subjecting them to an examination in the metropolis before they took their departure, he knew that the hon. proprietor had repeatedly, not perhaps quite ninety-nine times recommended such a course—and he knew also that reasons, which appeared to him to be conclusive, had been as often advanced in answer to his proposition,

proposition. The hon. proprietor continued to hold one opinion, and he (the Chairman) was as firmly and conscientiously attached to another. On the 20th of December 1826, it was resolved that there should be laid before this court all orders respecting the qualifications necessary to enable officers to act as interpreters on regimental courts-martial; in February 1827 instructions to that effect were sent out to India, and copies of the orders issued by the government were afterwards submitted to the court. He could only follow up the subject by saying, that the government of India felt very anxiously on this point; and no person holding the office of adjutant, quarter-master, &c. was appointed to the situation of interpreter, unless he was properly qualified to hold it. So strict were they in paying respect to the expressed opinion of that court and of the Court of Directors, that officers presenting themselves as candidates for the appointment without possessing the necessary qualifications were peremptorily refused. He believed they all felt the necessity which existed for officers, who were constantly coming in contact with the native soldiers, being able to converse with them in their own language, and every effort was made to accomplish that end.

Mr. Hume said, he was aware that certain returns had been made on this subject in 1827; but he asked whether further returns had been received—that

was the question; because it was only by a constant continuance of such returns, that they could fairly expect a careful adherence to the rule laid down.

The Chairman.—“I hoped that I had answered the hon. proprietor's question. The returns are made; but whether the reports are so minute and accurate as the hon. proprietor may wish I certainly do not know.”

Mr. Poynder.—“I wish to say, sir, that it is on the immense preponderance of evidence from India, shewing that the system of suttee might easily, I may say safely, be put down, that I stir this question. I would join issue as to the practicability of adopting such a course, on the statements of your own public functionaries—men living on the spot—men who are the most likely to suffer if any evil were attendant on the change—men of the first talents and the greatest integrity in India. I rely on the documents laid before the Parliament of the country as bearing me out in my views on this question. I do not act from opinions rashly formed by myself, neither do I look to the opinions of persons equally contemptible with myself—but I look to the statements of your own accredited officers, who loudly proclaim that these murders ought to be no longer tolerated—that they ought to be immediately put down.”

The court then, on the question, adjourned.

## East-India College, Mallesbury.

GENERAL EXAMINATION, December, 1828.

ON Thursday, the 4th December, a Deputation of the Court of Directors visited the College, for the purpose of receiving the Report of the General Examination of the Students.

The Deputation, on their arrival at the College, were received by the Principal, Professors, Assistant Professors, and the Oriental Visitor.

Soon afterwards they proceeded to the Hall, accompanied by the Right Hon. and Right Rev. the Visitor of the College, where, the students being previously assembled, the following proceedings took place:—

A list of the Students who had obtained prizes and other honourable distinctions was read.

Mr. John McKenzie Gladstone Robertson delivered an English essay: the thesis was—“*The difference between the European and Asiatic Character.*”

The Students read and translated in the several Oriental languages.

Prizes were then delivered by the Chairman according to the following report:

*Asiatic Journ.* Vol. 27. No. 157.

*Medals, Prizes of Books, and other honourable Distinctions obtained by Students leaving College at the Public Examination, December 1828.*

### Fourth Term.

Robert Deane Parker, medal in political economy, medal in Sanscrit, and with great credit in other departments.

Mosley Smith, medal in classics, and highly distinguished in other departments.

John M. G. Robertson, prize for the best English essay, and highly distinguished in other departments, also a prize by a vote of council for creditable proficiency in Mahratta, in addition to his other attainments.

Charles Walter Kinloch, prize in law, prize in Hindustani, and with great credit in other departments.

James Dewar Bourdillon, prize in Persian, and highly distinguished in other departments.

George Trant Shakespear, prize in Bengali, and with great credit in other departments.

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The following students, though they did not obtain prizes, were highly distinguished.

Hunter, Maltby,  
Daniel White, Newbery,  
Tottenham,  
and Pillans passed with great credit ;  
Goad ; a prize in drawing.  
Third Term.

Archibald Sconce, medal in mathematics, medal in law, and medal in Persian ; prize in Hindustani, prize in Arabic, and with great credit in other departments.

*Highly Distinguished* : Scott ; who also obtained the testimony of creditable proficiency in 'Telooqoo.

*Passed with great Credit.*  
Oakes, Morland.  
Second Term.

Charles Gubbins, prize in classics, prize in Bengali, prize in Persian, prize in Arabic, and highly distinguished in other departments ; also prize in Bengali writing, and prize in drawing.

*Passed with great Credit* : Dirom.

*Prizes and other honourable Distinctions, obtained by Students remaining in College.*

Third Term.

Chas. Dumergue, prize in classics, prize in Sanscrit, and with great credit in other departments.

David Robertson, prize in mathematics, and prize in political economy.

Alexander Shank, prize in Persian, prize in Hindustani, and with great credit in other departments.

John L. M. Lawrence, prize in Bengali, and with great credit in other departments.

*Highly Distinguished* : Batten.  
Second Term.

Robert Henry Stuart, prize in mathematics, prize in history, prize in Sanscrit, prize in Hindustani, and with great credit in other departments, also prize in Nagari writing.

John Marshall Davies, prize in law, and highly distinguished in other departments.

*Highly Distinguished.*  
Malcolm, Fagan.

*Passed with great Credit* : W. H. Elliott.  
First Term.

John Edwards Lyall, prize in Sanscrit, prize in Hindustani, prize in Arabic, and with great credit in other departments.

Edward Thornton, prize in classics, and prize in Persian.

Charles James Bird, prize in mathematics, and with great credit in other departments.

Hon. Humphrey Bohun Devereux, prize in Bengali, and with great credit in other departments.

Joseph Reid, prize in English composition, and with great credit in other departments.

Jonathan D. Inverarity, highly distinguished, and prize in Persian writing.

*Passed with great Credit.*

Skelton, Garrett,  
Frere, Halkett, prize in drawing,  
Four best Persian Writers.

Inverarity, Davies,  
W. T. Taylor, Gaitskell.  
Best in Nagari Writing.

Stuart, Rolde.  
Best in Bengali Writing.  
Gubbins.

Rank of Students leaving College, as settled by the College Council :

BENGAL.	2d Class.
1st Class.	2. Bourdillon,
1. Sconce,	3. D. White,
2. Smith,	4. Maltby,
3. Kinloch,	5. Pillans,
4. Gubbins.	6. Newbery,
2d Class.	7. Scott.
5. Hunter,	BOMBAY.
6. Shakespear,	First Class.
7. Tottenham,	1. J. M. G. Robertson.
8. Goad,	2d Class.
9. Morland.	2. Oakes,
3d Class.	3. Spens,
10. Carruthers.	4. Dirom.
MADRAS.	
First Class.	
1. Parker.	

It was then announced that the certificates of the College Council were granted, not only with reference to industry and proficiency, but also to conduct ; and that this latter consideration had always a decided effect in determining the order of rank.

It was also announced, " that such rank would only take effect in the event of the Students proceeding to India within three months after they are so ranked ; and should any Student delay so to proceed, he should only take rank among those classed at the last examination previous to his departure for India, whether that examination should be held by the College Council or by the London Board of Examiners, and should be placed at the end of that class in which rank was originally assigned to him."

Notice was then given that the next Term would commence on Monday the 19th of January 1829, and that the Students were required to return to the College within the first four days of it, unless a statutable reason could be assigned for the delay ; otherwise, the Term would be forfeited.

The Chairman (William Astell, Esq.) then addressed the Students, expressing his gratification at the favourable result of the Examination ; and the business of the day concluded.

*Wednesday the 7th, and Wednesday the 14th January, are the days appointed for receiving Petitions at the India House, for candidates for admission into the College, for the Term which will commence on Monday, the 19th of January 1829.*

## DINNER TO HIS MAJESTY'S MINISTERS.

An entertainment was given on Wednesday the 12th October, by the Directors of the East-India Company, at the Albion Tavern, Aldersgate Street, on the occasion of the appointment of Lord Ellenborough to the office of President of the Board of Control, which had become vacant by Lord Melville's acceptance of the office of First Lord of the Admiralty.

The whole of his Majesty's Ministers were invited to the dinner, besides other persons of distinction. Among the company who sat down to table were the Duke of Wellington, Lord Ellenborough, Earl Bathurst, the Chancellor of the Exchequer, Lord Tenterden, Lord Ashley, the Marquess of Graham, Mr. Peel, Sir George Murray, Mr. Vesey Fitzgerald, Sir Henry Hardinge, Mr. Arbuthnot, Mr. Courtenay, the Vice-Chancellor, the Lord Chief Baron of Scotland, the Speaker of the House of Commons, Mr. Plunket, the Lord Mayor, the late Lord Mayor, &c.

On the Duke of Wellington alighting from his carriage his Grace was loudly cheered by the populace, as were most of the other members of his Majesty's government.

Dinner was placed on the table about seven o'clock; the Chairman of the East-India Company, Wm. Astell, Esq., M.P., presiding. On his right hand sat Lord Ellenborough, the Duke of Wellington, Lord Tenterden, the Speaker, the Chancellor of the Exchequer, &c., and on his left the Lord Mayor, Earl Bathurst, Mr. Peel, &c. &c.

On the removal of the cloth, and grace having been said,

The Chairman rose.—“The first toast I shall propose is one which will be anticipated, and in which every loyal subject will heartily join: it is the health of the King (*cheers*); and in proposing that toast, it is a source of additional gratification to me to be able to state, that our most gracious monarch is now nearly restored to perfect health.”

Loud cheers followed this declaration. “The King” was drank with every demonstration of the most loyal attachment.

The Chairman then proposed “the Duke of Clarence, and the rest of the Royal Family.”—“The Army and Navy, the two great arms which defend the constitution of Great Britain.”

The Chairman then said that he felt considerable difficulty in introducing to the notice of the company the next toast—“His Majesty's Ministers”—from his total inadequacy to do justice to the distinguished individuals who now honoured them with their presence. (*Loud cheers.*) It would be in the recollection of many who heard him that a few months ago, on

an occasion similar to the present, he had ventured to predict that his Majesty's advisers would continue to uphold the true interests of the country. The country owed much to the noble Duke at the head of his Majesty's government. Experience had shewn that his Grace was not less celebrated in the cabinet than in the field. He hoped his Majesty's ministers would, fearless of reproach, follow the course they had hitherto pursued, which had preserved the country in peace while other nations, if not actually engaged in war, were far from tranquil. He (the Chairman) did not mean to imply by these observations that if cause arose to call forth the energies of this country in support of its honour, the means were wanting within ourselves promptly to obey the call. Our resources were still great, he might say inexhaustible, notwithstanding all the efforts we had made. Those efforts had been conducted by the illustrious Duke, and had led to the glorious results Europe had witnessed; and he was assured this company, as well as the country, felt the best security for the maintenance of peace was a knowledge that we are not unprepared for war, should occasion for war again unfortunately occur. The ministers possessed the confidence of the country, and he felt assured he spoke the sentiments of all present in the expression of an ardent hope that they would continue to conduct the affairs of the country as they had done. He concluded by proposing the “health of the Duke of Wellington and the rest of his Majesty's ministers.”

The toast was drank with very great applause. Silence having been obtained,

The Duke of Wellington, on behalf of his colleagues and on his own part, returned thanks for the high compliments paid them by the hon. Chairman. It was impossible, said his Grace, that his Majesty's ministers should not feel a deep interest in the prosperity of the vast territories and innumerable subjects placed under the government of the East-India Company by the wisdom of Parliament. The Directors well performed the duty intrusted to them. It is, said his Grace, the anxious wish of his Majesty's ministers to conciliate their duty with the interests of the East-India Company. (*Cheers.*) With respect to the appointment of his noble friend (Lord Ellenborough) to the office of president of the Board of Control, he felt assured that he would do all in his power to advance the interests of the East-India Company, and that, next indeed to his noble friend now absent, he knew no one so fitted for the office as the noble Lord on his left (Lord Ellenborough). (*Cheers.*)



(*Cheers.*) His Grace regretted the absence of the noble Lord (Melville), who so long had enjoyed the peculiar confidence of the East-India Company; who, in the discharge of his duties as president of the Board of Control, had displayed great talent, and who might be said to possess an hereditary knowledge of Indian affairs. The noble Duke, on the part of his colleagues and himself, desired the company to accept their warmest acknowledgments for the cordial manner in which their healths had been received, and sat down amidst loud cheers.

The Chairman, in rising to propose the health of the noble Lord (Ellenborough), whose appointment to the office of president of the Board of Commissioners for the Affairs of India they were met to celebrate, said the high opinion expressed of the noble Lord by his Grace could not fail to confirm the belief which he (the Chairman) felt that the noble Lord would fulfil the duties of his high office with zeal and ability; and he was persuaded that the longer the acquaintance and the greater the intimacy with the East-India Company, the greater would be the desire of the noble Lord to discharge those duties, the importance of which it was quite evident the noble Lord was aware of, from the earnestness and activity which he evinced on all occasions. He (the Chairman) could not sit down without expressing his regret at the absence of the noble Viscount to whom allusion had been made, and for whom he, in common with the Court of Directors, entertained so sincere and cordial a respect. (*Cheers.*) He concluded by proposing the health of Lord Ellenborough the president of the Board of Commissioners for the Affairs of India.

The toast was most warmly received.

Lord Ellenborough thanked the company for the kindness shewn him. In the performance of the high duties to which his Majesty had been pleased to call him, it was his ardent hope that a favourable construction might be put on his efforts. He felt sensible of the difficulties which would arise to prevent him from efficiently doing his duty; but he could assure them that he would use his utmost exertions to satisfy the government, and then only should he satisfy himself. He was sure, however, that he might claim the aid and zealous assistance of his noble friend who had lately filled the office to which he (Lord Ellenborough) had been appointed, with such advantage to the East-India Company, and credit to himself. On all occasions he knew he should find in that noble Lord one who would render him every aid, and to whom he should have recourse in cases of difficulty. To his right hon. friends who sat around him he also knew he should not appeal for assistance in vain. If any matters in which

a local knowledge of India was necessary should come within the scope of his duty, he knew he might draw upon the information of the noble Duke who sat near him, whose first triumphs were achieved on the plains of India. It was the field of Assaye that gave promise of the glories gained on the plains of Waterloo. (*Loud cheers.*) "To me (said his Lordship) it is a source of the greatest satisfaction that I have been brought into personal communication with the Court of Directors of the East-India Company, a body composed, in part, of the most eminent merchants of the first mercantile country in the world, and of distinguished servants of the Company in the civil, military, and naval services, and who, under the modest and unassuming title of 'United Merchants trading to the East-Indies,' are, in fact, sovereigns over one of the most extensive provinces in the world, and several of whose servants were placed over presidencies equal to many governments in Europe. But, independently of any personal satisfaction I may feel in being connected with the East-India Company, I feel it a high honour to be engaged in any matters having reference to the government of a country, wonderful in its origin, extraordinary in all its circumstances of conquest and progress which ever existed in the annals of the world. (*Cheers.*) I might (said his Lordship) expatiate at great length on the history and progress of Indian affairs; but I am not desirous of trespassing on your patience. (*Hear, hear!*) The high terms of praise expressed by the noble Duke in my favour, have excited feelings to which I am unable to give utterance. I can assure you I shall devote all my time and what talents I may possess to the service for which I am destined." His Lordship concluded by desiring the company to accept his warmest thanks for the honour done him, and sat down amidst loud cheers.

The Chairman said, the company would recollect they were in the City, and that they were honoured by the presence of the chief magistrate, who had consented to waive his right of presiding that evening. The right hon. gentleman who now filled the civic chair was well known in his commercial, magisterial, and senatorial capacities. They could not fail to recollect that many of the present company had recently partaken of the munificent hospitality of the right hon. magistrate, and he was satisfied that the interests of the City of London, and the high character which it had so justly acquired as a corporation, would be fully maintained in the person of its present Lord Mayor. He concluded by drinking "the health of the Lord Mayor." (*Cheers.*)

The Lord Mayor said he was truly honoured by the warm reception his name had

had met with, and felt greatly flattered by being invited as a guest that evening. He was well aware of the difficulties which presented themselves in the fulfilment of the duties of the high office to which he had been appointed by his fellow citizens; but who having placed on him the highest honours they could confer, called upon him in gratitude to devote his whole time and attention to his office. As a citizen and a commercial man, he was fully aware how much the prosperity of the City of London depended on the prosperity of the East-India Company; and at all times he should be most ready to lend his aid in the promotion of any measures which might tend to advance the interests of the East-India Company. He thanked them for their kindness most heartily.

The Duke of Wellington had obtained leave from the chair to propose a toast. "You are aware," said his Grace, "that I have served the East-India Company, and you will readily conceive the gratification I feel in proposing to you to drink the health of the Court of Directors. It will be useless for me to enter into a detail of the services of that great body. There are no servants in any body whatever more entitled to thanks for the manner in which their duties are fulfilled, than the Directors, and I beg, therefore, to propose the health of the Court of Directors of the East-India Company."

The toast was drank with great applause.

The Chairman assured the company, that it was the earnest desire of himself and his colleagues to do their duty. If they wanted any stimulus to exertion, the high compliment paid the Court of Directors by the Noble Duke would have proved one. For two centuries the East-India Company had existed, and their aim had been to promote the happiness of the inhabitants of India. It would not have been believed fifty years ago, had it been stated that the East-India Company would have surmounted the great difficulties which they have had to contend with, abroad and at home, and have administered the blessings of British rule to upwards of one hundred millions of people! But such is the fact. Difficulties would necessarily arise in the management of the extensive and important affairs of the East-India Company: but he might unhesitatingly aver, that no deficiency of zeal would ever be found in the executive body to meet, and, as far as was in their power, with the aid of his Majesty's ministers, to overcome them. He thanked them, on behalf of his colleagues and himself, for the honour done them.

The Chairman said, he had next to propose the toast of a distinguished individual whom they had often wished to have

seen at their table, but the discharge of whose parliamentary duties had heretofore deprived them of that honour: he meant the Speaker of the House of Commons. That right hon. gentleman was entitled to peculiar respect, from the ability which he displayed in the duties of the high and important office he held, and which fully answered all the expectations indulged by the public.

"The Health of the Speaker of the House of Commons" was drank with great applause.

The Speaker said it would be affectation in him to question how far he was entitled to the honour done him by the Chairman. He appreciated the honour. "I will continue," said the right hon. gentleman, "while I am a public servant, to fulfil the duties of my office with all the ability I am able to command. I am thankful for the kindness with which my name has been received."

The Chairman said the next toast he had to propose embraced the names of distinguished individuals whose talents were devoted to the due administration of the law. They were honoured by the company of the Lord Chief Justice of the Court of King's Bench, the Vice Chancellor, and the Lord Chief Baron of Scotland. The manner in which these highly talented persons executed their duty was well known, and while old England possessed upright judges and honest juries she had nothing to fear, but every thing to hope. (*Cheers.*) He concluded by drinking the health of the Chief Justice of the Court of King's Bench, the Vice Chancellor, and the Chief Baron, regretting, at the same time, the absence of the Lord Chief Justice of the Common Pleas, &c.

The toast was drank with cheers.

Lord Tenterden rose, and cordially thanked the company for the honour. It was the anxious wish of all those who had to superintend the administration of the laws of the country, to do so with impartiality. He could assure them that any question that might come before him in his judicial capacity tending to involve the rights and interests of the East-India Company, should receive from him the utmost consideration. On the part of his colleagues he begged to return thanks.

The Chairman trusted that every gentleman would fill a bumper. "Although the name of the right hon. gentleman I am now about to propose has been included in a toast given in the early part of the evening—the health of his Majesty's Ministers—yet the distinguished talents of the Right Hon. Robert Peel entitle him to particular notice on the present occasion. In his office as secretary of state of the home department, Mr. Peel has rendered the country great and valuable services."

He

He (the Chairman) desired more particularly to advert to that important measure which was brought forward by the right honourable gentleman; "I mean," said the Chairman, "the revision of the criminal code, the beneficial effects of which have not been confined to this country alone, but have been extended to our Indian possessions. I must also be permitted to advert to the right hon. gentleman, as leader of the Commons House of Parliament, in which station he has evinced splendid and commanding talents. I consider, with these feelings, I should have been deficient in my duty, as well as in the manifestation of that respect which I individually feel towards him, did I not propose this toast, and I am sure the proposition will be cordially received, that you should drink the health of the Right Hon. Robert Peel." (*Loud cheers.*)

The toast called forth the loudest acclamations.

Mr. Secretary Peel.—"The proposal of my health has, I confess, taken me by surprise. I did not expect, as my name was coupled with those of my colleagues in office, that I should have been singled out for the distinction now conferred on me. I most sensibly appreciate the partiality with which it has been proposed and received. The immediate duties of my office refer to matters nearer home; nearer, it is true, in point of distance, and highly important as regards the state of the whole country. But as one of the commissioners for the affairs of India, I hope my time is not so occupied in domestic matters as to render me unworthy of that connexion with the affairs of India, or to admit of my neglecting the interests of that vast empire; an empire raised to the highest pitch of honour and glory by conquest and good government, and where the fate of innumerable inhabitants has been so much studied and advanced. In India the most splendid talents have been exerted to produce the present happy condition of the people. It has been well stated by one branch of the British Legislature, that in India "there is an established system of laws, the object of which was to protect weakness from oppression, and to secure to every individual the fruits of his honest industry." Upon all occasions in which the interests of India are to be supported I shall be always ready to lend my humble assistance; and I beg leave to thank you most cordially for the honour you have

done me in so warmly drinking my health."

The right hon. gentleman sat down amidst loud cheers.

The Chairman said, they ought not to forget a noble lord, who, he hoped, was by this time arrived at the seat of his government in India. He alluded to Lord Wm. Bentinck. He proposed the "health of Lord Wm. Bentinck, and success to his government."

After which followed, "the Right Hon. S. R. Lushington, and the government of Madras; and Sir John Malcolm, and the government of Bombay."

The Chairman was afraid he should tire the company, but he now called for a ready fire, as the toast he was about to propose related to the army. It was "Lord Combermere and the gallant army of the East." With the name of Combermere, said the Chairman, must be associated the capture of Bhurtpore, and it must likewise be recollected, that where Wellington commanded the name of Combermere was to be found. The East-India Company was much indebted to his Lordship for his distinguished services; he had fulfilled the high and important duties intrusted to him with great ability and zeal, and had amply redeemed the sentiments entertained by his illustrious commander, the noble Duke on his right, when about to embark for the post which he now so honourably and advantageously fills. He concluded by proposing the toast.

The Duke of Wellington.—"I really cannot allow that toast to pass without saying a few words. Many years ago, and if I recollect rightly, in this very room, I ventured, in recommending Lord Combermere to your notice, to predict that he would merit the esteem of the East-India Company. With respect to the army in India, I can speak from experience. I have seen in the course of my life the armies of almost every civilized nation, and I can most confidently assert, that in point of order and discipline, good conduct, and gallantry in the field, the army of India is second to none. I felt I could not allow the toast now proposed to pass without saying thus much. His Grace sat down amidst cheers, and the Chairman thanked the company, and left the chair."

Mr. Astell accompanied the Duke of Wellington and Lord Ellenborough to tea and coffee. The company soon afterwards left the tavern.

## Postscript to Asiatic Intelligence.

MADRAS papers to the 23d of August reached us on the eve of publication. They contain no political intelligence of interest, except a report that the Burmese had refused payment of a further instalment, and were preparing for hostilities,—of which there is little probability. A public meeting had been held at Madras, under the auspices of the governor, on the 7th August, at which an auxiliary branch of the Royal Asiatic Society was organized at the presidency; Archdeacon Robinson was chosen president; James Lushington, Esq. (son of the governor), secretary. We are furnished with a full report of the proceedings, which shall appear next month.

The latest advices from Calcutta represent the health of the Bishop, which had been in a very doubtful state, as somewhat improved. It was supposed that his Lordship would proceed to New South Wales (not to England) for the benefit of change of air.

We are concerned to say that a rumour has prevailed in the City of the death of Sir John Malcolm. It is said to have taken place on the 2d August, and to have been caused by paralysis. Private letters are alleged as the ground of this rumour; but as we have seen no such letters, and cannot trace the statement to any authentic source, we trust it is unfounded.

## SUPPLEMENTARY INTELLIGENCE.

### Calcutta.

#### CIVIL APPOINTMENTS.

##### *Territorial Department.*

July 31. Mr. R. Hunter, salt agent and collector of customs at Balasore.

Mr. J. H. D'Oily, collector at Midnapore.

Mr. J. C. Grant, assistant to principal assistant in western division of Delhi territory.

Mr. A. P. Currie, assistant to secretary to Board of Revenue in central provinces.

#### MILITARY APPOINTMENTS, PROMOTIONS, &c.

Fort William, July 25, 1828.—Messrs. Jos. Ford, Jas. Harris, and John Purves, admitted on establishment as veterinary surgeons.

14th N.I. Ens. W. H. Rickards to be Lieut. from 22d July 1828, v. Ramsay dec.

Capt. H. Caldwell, 49th N.I., to be an aide-de-camp on personal staff of Governor-general.

Assist. Surg. R. Laughton removed from civil station of Futteepore to that of Berbhoom.

Head-Quarters, June 30, 1828.—Lieut. J. D. Douglas to act as adj. to 3d Local Horse during absence of Lieut. and Adj. Meade; dated 15th June.

Lieut. T. H. Shuldham, 52d N.I., declared fully competent to discharge duties of interpreter.

30th N.I. Lieut. K. Campbell, 45th N.I., to act as interp. and qu. mast.

34th N.I. Lieut. S. A. Lyons to be adj. v. Angelo resigned; and Ens. C. C. J. Scott, 32d N.I., to act as interp. and qu. mast.

52d N.I. Lieut. T. H. Shuldham to be interp. and qu. mast.

July 1.—Removals and appointments of Lieut. Colo. Com. U. Yule, from 40th to 18th N.I.; R. Hampton (new prom.) to 40th do.; J. S. Harriot (new prom.) to 23d do.; G. Sargent (new prom.) to 19th do.; H. Hodgson (new prom.) to 51st do.

Removals and appointments of Lieut. Colo. W. Dunlop (new prom.) to 52d N.I.; E. C. Browne (new prom.) to 40th do.; E. B. Craigie (new prom.) to 13th do.; C. W. Brooke (new prom.) to 19th do.; P. C. Gilman (new prom.) to 67th do.; C. Bowyer, from 67th to 20th do.; R. H. Cunliffe,

from 52d to 49th do.; J. Garner, from 41st to 43d do.; W. C. Baddeley, from 43d to 41st do.

Assist. Surg. W. Duff posted to 43d N.I.

Assist. Surg. W. Glass, removed from 42d to 61st N.I.

Ens. J. Godfrey, 61st N.I., removed, at his own request, to 43d N.I.

Removals of Ensigns. W. R. Dunmore, from 30th to 30th N.I.; J. J. McC. Morgan, from 14th to 55th do.; J. G. W. Curtis, from 36th to 37th do.; W. H. Penrose, from 13th to 30th do.; C. Tate, from 20th to 33d do.; H. Abbott, from 4th extra to 44th N.I.

Ensigns (recently arrived) posted to regts. J. F. Erskine, to 46th N.I., at Dinapore; Geo. Hunter, 15th do., Allyghur; S. C. Starky, 7th do., Berhampore; H. Barry, 3d extra do., Bhopaulpore; W. Swatman, 20th do., Keifiah; R. Troup, 63d do., Hansi; Ralfe, 3d do., Loodianah.

July 3.—Cornets appointed to do duty. C. Atkinson, G. Buist, and F. J. Harriott, with 10th L.C., at Meerut.

Ensigns appointed to do duty.—H. Russell, with 42d N.I., Cawnpore; C. G. Walsh, 26th do., Cawnpore; C. R. Vickers, 46th do., Dinapore; C. E. Grant, 51st do., Cawnpore; J. J. Kinlock, 7th do., Berhampore; R. Mathison, 51st do., Cawnpore; J. Coke, 35th do., Meerut; T. A. K. Mac Gregor, 50th do., Allahabad; L. R. Keane, 46th do., Dinapore; W. G. Don, 43d do., Benares; R. K. Kenn, 43d do., Benares; J. R. Abbott, 6th extra do., Mullye; J. Erskine, 50th do., Barrackpore; J. Hunter, 46th do., Dinapore; J. S. Knox, 46th do., Dinapore; H. A. Cumberlege, 6th extra do., Mullye.

July 5.—Capt. T. R. Fell, 40th N.I., to officiate as aide-de-camp to Brig. Gen. Adams, commanding Sirhind div., during absence of Capt. Stoddart.

#### FURLOUGHS.

To Europe.—July 25. Capt. W. Stiles, 30th N.I., for health.

To Penang.—July 25. Assist. Surg. D. B. Wardlaw, for six months, for health (also to Singapore).

To New South Wales.—July 25. Lieut. J. S. Rotton, regt. of artill., for twelve months, for health.

#### HIS MAJESTY'S FORCES.

To Europe.—July 3. Lieut. Ainallie, 4th L. Dr., on private affairs.—Lieut. Hornby, 6th F., for health.

## BIRTHS, MARRIAGES, AND DEATHS.

### BIRTHS.

- June 24. At Hissar, the lady of Capt. J. D. Parsons, of a son.  
 July 3. At Keitah, the lady of Major S. Smith, 3d cavalry, of a son.  
 4. At Backergunge, Mrs. Z. D'Silva, of a daughter.  
 10. At Calcutta, the lady of Thos. Harton, Esq., of a son and heir.  
 11. At Cawnpore, the lady of Capt. Lumsden, horse artillery, of a son.  
 — At Howrah, the lady of Mr. J. Randle, of a son.  
 17. At Sibpore, Mrs. P. D'Silva, of a daughter.  
 18. At Calcutta, the lady of A. G. Patterson, Esq., of a son.  
 — At Calcutta, the lady of D. Ross, Esq., of a daughter.  
 20. At Calcutta, Mrs. Shearwood, of a son.  
 24. At Calcutta, the lady of R. C. Jenkins, Esq., of a son.  
 — At Sylhet, the lady of Lieut. Thos. Fisher, qu. mast. gen.'s department, of a son.  
 25. At Calcutta, the wife of Mr. H. Jones, of a daughter.  
 26. At Berhampore, the lady of Alfred Betts, Esq., of Shekarpore, of a daughter.  
 30. At Dacca, the lady of J. M. Farnworth, Esq., of a daughter.  
 Aug. 4. At Calcutta, the lady of G. A. Bushby, Esq., civil service, of a son.

### MARRIAGES.

- July 12. At Allyghur, C. Mackinnon, Esq., civil surgeon, to Miss Ann Julius Carr.  
 21. At Calcutta, Mr. C. Ewan, to Sarah, only daughter of the late Mr. T. Austin, Bengal Pilot establishment.  
 — At Calcutta, Mr. D. E. Mallock, merchant, to Miss E. L. Howatson.  
 30. At Calcutta, Wm. Smithson, Esq., to Miss Holdsworth.

### DEATHS.

- July 5. At Lucknow, after a few days' illness, Mrs. Mary Arnou, daughter of the late Lieut. Col. M. Macnamara.  
 13. At Loodianah, Eliza, wife of Major Holbrow, 4th N.I., aged 32.  
 15. At Ballasore, Constantia Sophia Charlotte, daughter of W. F. Pennington, Esq., executive officer and superintendent northern division Juggurnauth Road.  
 20. At Chittagong, Mr. Roqui Vaz, aged 90.  
 21. At Calcutta, Miss Eliza C. Young, daughter of A. Young, Esq., aged 16.  
 23. At Calcutta, Mrs. Maria Benson, of consumption, aged 45.  
 — At Howrah, Mr. Joseph Pince, chief officer of the *Mary*, late second of the *Arabian*, aged 21.  
 25. At Berhampore, G. T. H. S. Sandby, Esq., aged 20.

## Madras.

### CIVIL APPOINTMENTS.

- Aug. 1.—R. W. Norfor, esq., master attendant at Cuddalore and Porto Novo.  
 10.—C. E. Macdonald, esq. assistant to principal collector and magistrate of Southern Division of Arcot.

### MILITARY APPOINTMENTS, PROMOTIONS, &c.

Fort St. George, June 27, 1828.—2d N.I. Sen. Capt. W. Gordon to be maj., Sen. Lieut. R. M. Humfries to be capt., and Sen. Ens. R. N. Faunce to be Lieut., v. Osborne invalid; dated 18th June 1828.

9th N.I. Sen. Ens. J. J. Losh to be Lieut., v. Macville pensioned; dated 21st June 1828.

Cadet John Maitland admitted to cavalry, and

prom. to Cornet.—Cadets W. K. Worster and H. H. Bell admitted to artillery, and prom. to 2d lieuts.—Cadet W. Gerrard, admitted to engineers, and prom. to 2d lieut.—Cadets Wm. Drysdale, R. Paton, W. C. Bell, R. Gordon, and D. M. Bridges admitted to infantry, and prom. to ensigns.

2d N.I. Lieut. R. Shirreff to be adj., v. Humfries prom.

Assist. Surg. R. Filson, app. to medical charge of Lunatic and Female Asylum, during absence of Surg. H. Atkinson, on sick certificate.

Assist. Surg. J. Mack, to be superintendent of vaccination at Presidency, during absence of Surg. Atkinson.

Col. Hugh Fraser, of inf., placed on general staff of army of Fort St. George, and app. to command ceded districts, v. Col. McDowell, who resumes command of Hyderabad subd. force.

July 1.—Cadets D. Groube and L. Macqueen admitted to cavalry, and prom. to cornet.—Cadets B. W. Black, John Moore, and H. Congrave, admitted to artillery, and prom. to 2d lieut.—Cadets F. C. Hawkins, Thos. Morrill, D. W. Balfour, Chas. Ireland, P. Holmes, and H. Ferriar, admitted to infantry, and prom. to ensigns.

Assist. Surg. J. Wilkinson permitted to enter on general duties of army.

Surg. S. Heward to be second member of medical board, v. Pritchard whose prescribed period of service in board has expired.

Surg. Thos. Owen to be third member of medical board, v. Heward.

July 4.—*Corps of Engineers*. 2d Lieut. S. Vardon to be assist. to superintending engineer in Mysore division.—2d Lieut. W. J. Birdwood to be 2d assist. to superintending engineer in Presidency division.—2d Lieut. J. H. Bell to be assist. to superintending engineer in Malabar and Canara.

Major Francke allowed to act as paymaster at Trichinopoly, during absence of Capt. C. M. Hird.

Cadets J. P. Germon, J. McM. Johnston, Jos. Forster, A. K. Cockburn, F. T. Cox, R. Hamilton, and C. S. A. Wake admitted to infantry, and prom. to ensigns.—Mr. H. Hooper admitted a veterinary surgeon.

*Head-Quarters*. July 9, 1828.—3d Lieut. G. M. Gum (recently prom.) posted to 3d bat. artill.

*Officers (recently arrived) app. to do duty*.—Cornet W. G. Woods, with 1st L.C.—Ens. E. King, 9th N.I.; Ens. D. Johnstone, 31st or T.L.I.

July 12.—The orders posting Lieut. Deacon 11th regt., and Lieut. Cosby, 25th regt. N.I., to 1st bat. of pioneers; and Lieut. Affleck 16th regt., and Ens. Gibbings 10th regt. N.I., to 2d bat. of pioneers, cancelled.

July 14.—Col. and Maj. Gen. J. Dighton, removed from 32d to 19th N. I.

Lieut. Col. Com. H. M. Kelly (late prom.) posted to 32d N. I.

Lieut. Col. W. Ormsby (late prom.) posted to 32d N. I.

*Assist. Surgeons posted*.—S. Stokes to 29th N.I.; W. Burrell 11th do.; W. Lloyd, 34th or C. L. I.; G. Harding, 19th N.I.; J. B. Preston, removed from 19th to 21st N. I.

Fort St. George, July 14.—Assist. Surgs. Wm. Burrell, Wm. Lloyd, and Geo. Harding, permitted to enter on general duties of army.

Surg. Pritchard, permitted to resign Hon. Comp.'s service from 1st July, in compliance with his request.

Mr. Chamier, sec. to gov. in mil. depart., directed to resume charge of duties of his office.

July 18.—Cadet J. F. Porter, admitted to cavalry, and prom. to cornet.—Cadets W. M. Glascock and L. W. Walker, admitted to inf. and prom. to ensigns.

Lieut. Alex. Taylor, 4th L. C., permitted, at his own request, to resign service of Hon. Company.

2d L.C. Lieut. W. S. Ormmaney, to be acting riding master, v. Taylor.

8th L.C. Lieut. J. K. Macdonald, to be qu. mast. inter. and paym., v. Raymond, prom.

July,

July 22.—Lieut. Col. D. C. Kenny, 47th N.I., removed from command of Masulipatam.

4th L.C. Sen. Cornet H. Welsh, to be lieut., v. Taylor resigned; dated 19th July 1828.

Cadets. J. G. Wahab, H. L. Burleigh, G. Singleton, W. M. Wahab, G. A. H. Falconar, T. J. Newbold, Grant Allen, J. W. Clarke, R. D. Armstrong, C. R. Hobart, and H. Howard, admitted to Infantry, and prom. to ensigns.

Capt. W. H. Agnew, to be major of brigade to Madras troops, serving at Prince of Wales' Island and its dependencies, v. Mac Master.

3d L.C. Lieut. C. A. Kerr, to be qu. mast., inter. and paym., v. Gould returned to Europe.

5th L.C. Lieut. H. F. Lord, to act as adj. during absence of Lieut. Grant, on leave to Bengal.

Head Quarters, July 13.—Cornet J. F. Porter app. to do duty with 1st L.C.—Ensigns W. M. Glascock and L. W. Walker app. to do duty with 29th N.I.

July 21.—Ensigns (recently prom.) appointed to do duty. H. L. Burleigh, H. Howard, and J. W. Clarke, with 16th N.I.; R. D. Armstrong, 20th do.; T. J. Newbold, and H. J. Brockman, 29th do.; W. M. Wahab, and J. G. Wahab, 34th or C.L.I.; G. Singleton, G. A. H. Falconar, C. R. Hobart, and G. Allen, 35th N.I.; Tho. Fair, 16th do.; J. H. Tapp, 2d do.

July 24.—Surg. D. Donaldson, removed from 11th to 15th N.I.

Surg. A. Campbell (late prom.) posted to 11th N.I.

July 25.—Lieut. W. Shairp, removed from Carnatic Europ. Vet. Bat. to 3d Nat. Vet. Bat. at Candapilly.

Ens. J. Wilkinson, 35th N.I., app. to rifle corps. Fort St. George, July 25.—Lieut. Col. M. L. Pereira, 34th N.I., app. to command of Masulipatam, v. Kenny removed.

11th N.I. Sen. Ens. G. Jackson, to be lieut., v. Lally dec.; dated 16th July 1828.

17th N.I. Sen. Lieut. (Br. Capt.) Sam. Stuart, to be capt., and Sen. Ens. W. W. Ross, to be lieut., v. Thompson dec.; dated 14th April 1828.

Sen. Assist. Surg. Alex. Campbell, to be surg., v. Richard retired; dated 1st July 1828.

Cadet H. P. White, admitted to infantry, and prom. to ensign.

20th N.I. Sen. Lieut. Thos. Stockwell, to be capt., and Sen. Ens. John Hunter, to be lieut., v. Williams dec.; dated 19th July 1828.

34th or C.L.I. Sen. Capt. J. J. O'Donnoghue, to be major, Sen. Lieut. Edw. Armstrong, to be capt., and Sen. Ens. A. M. Kinloch, to be lieut. in suc. to Ogilvie prom.; dated 24th May 1828.

Cadet H. J. Brockman admitted to infantry, and prom. to ensign.

11th N.I. Lieut. D. Wynter, to be qu. mast., inter. and paym., v. Lally dec.

Aug. 1.—Lieut. Cowper Rochfort, 27th N.I., to command escort of resident in Mysore, during absence of Capt. Monk.

Lieut. J. F. Kellett, 22d N.I., to have temporary command of escort of H. H. the Rajah of Mysore, v. Rochfort.

Infantry.—Sen. Maj. R. Home, from 12th N.I., to be lieut. col., v. Maunsell dec.; dated 18th June 1828.

12th N.I. Sen. Capt. Allan Roberts to be major, Sen. Lieut. (Brev. Capt.) J. B. Nottidge to be capt., and Sen. Ens. D. H. Stevenson to be lieut. in suc. to Home prom.; dated 18th June 1828.

Maj. J. K. Clubley, 3d L.C. transferred to invalid estab. in compliance with his request.

Aug. 5.—12th N.I. Sen. Lieut. I. C. Coffin to be capt., and Sen. Ens. G. Pincock to be lieut., v. Shedden dec.; dated 26th July 1828.

Lieut. J. Babinington, 5th L.C., to be temporary sub-assist. com. gen., v. Græme.

Lieut. C. H. Græme, 5th L.C. to be qu. mast., inter. and paym., v. Babinington.

Aug. 8.—3d L.C. Sen. Capt. F. L. Doveton to be maj., Sen. Lieut. (Brev. Capt.) Wm. Hyslop to be capt., and Sen. Cornet C. B. Lindsay to be lieut., v. Clubley invalided; dated 2d Aug. 1828. Cadet Jas. Jackson admitted to infantry, and prom. to ensign.

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Ens. L. F. Cottrell, 48th N.I., transferred to cavalry, and prom. to cornet.

Aug. 12.—7th N.I. Sen. Lieut. (Br. Capt.) Wm. N. Burns, to be capt., and Sen. Ens. P. Penny to be lieut., v. Hendrie dec.; dated 7th Aug. 1828.

Cadets J. H. Tapp, Thos. Fair, and C. J. El-Phinstone, admitted to Infantry, and prom. to Ens.

Officers returned to duty, from Europe.—Maj. L. Cooper, 47th N.I.—Capt. W. Scott, 42d do.—Capt. F. Stratton, 8th L.C.—Col. H. Fraser, 2d Europ. Regt.—Lieut. A. Mackenzie, 6th N.I.—Lieut. H. Millington, 6th do.—Maj. Wm. Milne, 37th do.—Lieut. Wm. Reece, 10th do.—Surg. R. Prince.—Assist. Surg. R. Stokes.

## FURLOUGHS.

To Europe.—June 27. Maj. E. Osborne, inv. estab.—July 4. Lieut. H. Jackson, 45th N.I. for health (via Bombay).—16. Lieut. E. B. Gould, 3d L.C., for health.—25. Lieut. C. R. Bradstreet, 37th N.I.—Aug. 1. Lieut. G. W. Moore, 3d L. Inf., for health.—5. Lieut. A. De Butts, of Engineers, for health.—12. Lieut. Col. W. C. Fraser, 10th N.I., for health.—Lieut. C. O. Backhouse, 25th N. I., for health.

To Calcutta.—July 13. Maj. R. H. Russell, 6th L. C., for three months, on private affairs.—Lieut. and Adj. Jas. Grant, 5th L.C., for five months, on ditto.

To Isle of France.—June 27. Ens. S. Coleridge, 16th N.I. for six months, for health.

## SHIPPING.

### Arrivals.

July 22. *Minstrel*, Arckcoll, from London.—23. *Henrietta*, Destangue, from Bordeaux and Pondicherry.—24. *John Pierre*, Foucault, from Bombay.—Aug. 3. *Anna Robertson*, Twine, from Isle of France.—7. *Madras*, Beach, from Calcutta.—9. *Clifton*, Mitford, from the Mauritius; *Copenhagen*, Stevens, from Mauritius and Ceylon; and *Medina*, Mordaunt, from Bombay.—10. *Angerona*, Redknap, from London.—17. *Ganges*, Lloyd, from London.—19. *Boyne*, Pope, from London; and *Edward*, Aldridge, from Isle of France.—20. *Royal Charlotte*, Dudman, from Manila.

### Departures.

July 20. *Fame*, Buller, for Calcutta.—22. *Victory*, Farquharson, for Calcutta.—Aug. 1. *Providence*, Ford, and *Minstrel*, Arckcoll, both for Calcutta.—7. *Prince Regent*, Richards, for Calcutta.—9. H. C. S. *William Fairlie*, Blair, for Penang, Singapore, and China; *Anna Robertson*, Twine, for Calcutta; *Clifton*, Mitford, for ditto; and *Copenhagen*, Stevens, for ditto.—12. *Medina*, Mordaunt, for Calcutta.—13. *Henrietta*, Destangue, for Penang and Singapore.—15. *Angerona*, Redknap, for Calcutta.—16. H. C. S. *Murqueen*, Walker, for Penang, Singapore, and China.—17. H. C. S. *Lord Louthier*, Steward, for Penang, Singapore, and China.—18. *Asia*, Stead, for Calcutta.—19. *Edward*, Aldridge, for Calcutta.—24. *Madras*, Beach, for London.

## BIRTHS, MARRIAGES, AND DEATHS.

### BIRTHS.

July 8. At Bellary, the lady of Lieut. Duval, 27th N.I., of a son.

18. At Cuddalore, the lady of Lieut. Col. Fraser, of a daughter.

21. At Hurryhur, the wife of Assist. Apoth. W. Stempson, Mysore division, of a son.

22. At St. Thomé, the lady of W. R. Smyth, Esq., of a daughter, still-born.

26. At Coimbatore, the lady of J. Morton, Esq., of a daughter.

Aug. 4. At St. Thomé, the wife of the Rev. E. Crisp, of a son.

5. At Tellicherry, Mrs. J. W. Schmidt, of a daughter.

6. At Madras, Mrs. T. Willmot, of a daughter.

7. At Vepery, Mrs. John Blake, of a son.

— At Madras, Mrs. D. Castella, wife of Mr. P. De Castella, cabine-maker, of a son.

11. At Masulipatam, the lady of Major Cooke, 38th N.I., of a son.

11. At

11. At Bangalore, the lady of Dr. Ricks, 2d brigade horse artil., of a son.  
 12. At Bangalore, the lady of Ens. Hughes, 39th N.I., of a daughter.  
 19. At Madras, the lady of Wm. Ashton, Esq., of a son.  
 21. At Madras, the wife of Mr. John Davidson, of a son.  
 22. At Vepery, Mrs. W. Atkinson, of a daughter.

## MARRIAGES.

- July 22. At Madras, Mr. E. Dent, catechist of the mission church, to Miss M. E. Reid.  
 28. At Madras, James Dalmahey, Esq., assist. surg., to Harriet, third daughter of the Rev. Arch. Lawrie, D.D., minister of Loudoun, Ayrshire.  
 30. At Cannanore, Mr. P. Fernandez, writer in the superintending surgeon's department, to Miss P. M. Freita.  
 Aug. 4. At Madras, Andrew Robertson, Esq., civil service, to Isabella Flora, daughter of the late Alex. MacLeod, Esq., of Dalvey, county of Moray.  
 11. At Madras, Lieut. H. Prior, 23d Lt. Inf., to S. H. Bower, relict of the late Capt. H. Bower.  
 16. At Madras, Lieut. and Adj. G. H. Harper, 40th N.I., to Miss Eliza Gottschell.

## DEATHS.

- May 28. At Kamptee, Ens. J. S. Matthews, 2d Europ. Regt.  
 June 13. At Madras, Capt. M. H. Davitson, assistant commissary general.  
 17. At sea, on board the ship *Prince Regent*, Lieut. Col. G. Maunsell, of this establishment.  
 21. At Buxar, of fever, W. H. Leech, Esq., only surviving son of the late Wm. Leech, Esq., formerly of H.M.'s 75th regt., in his 21st year.

29. In Chintadrapetta, Ann, wife of Mr. V. J. Meyers, aged 26.  
 July 17. At Cochin, Mrs. Vander Stoot, relict of the late Daniel Vander Stoot, Esq., physician general of the late Dutch establishment at that place, in her 73d year.  
 25. At Vizianagrum, Capt. Robert Shedden, 12th regt. N.I.  
 Aug. 5. Ens. Arthur Heywood, 15th N.I., accidentally drowned near Nagracail, in Travancore.  
 6. At Cuddalore, Capt. Andrew Hendrie, 7th regt. N.I.  
 — At Madura, Rous Peter, Esq., principal collector of that station.  
 9. At Dimhutti, on the Neilgherries, the wife of the Rev. F. Spring, M.A., chaplain, aged 32.  
 11. At Trichinopoly, Julia Thereza, wife of Lieut. C. J. Torriano, 38th N.I., aged 17.

## Ceylon.

## BIRTH.

- July 17. At Jaffna, the lady of Wm. Moir, Esq., of the Ceylon civil service, of a daughter.

## DEATHS.

- July 9. At Tranquebar, Michael Hopff, Esq., late of his Danish Majesty's civil service, in his 62d year.  
 July 6. At Negombo, Mr. Leonard De Quaker, a member of the late Land Raad Court at that place, aged 70.  
 21. At Kandy, Mr. J. B. Meyer, aged 46, formerly accountant of theutcherry at that place.

## HOME INTELLIGENCE.

## MISCELLANEOUS.

## EXPORT OF BRITISH MANUFACTURES TO INDIA.

By the *Laurel*, which sailed from the Clyde on the 13th Dec. for Calcutta, there were shipped 846,000 yards plain cottons, 35,000 yards printed, 25,000 yards coloured (chiefly, we hear, Turkey red), and 3,000 yards figured cottons, being upwards of nine hundred thousand yards of cotton goods, the manufacture of this city and neighbourhood. There were also about 92,000 lbs. of cotton yarn shipped by the same vessel.—*Glasgow Paper*.

## AUSTRALASIAN ASSOCIATION.

An association has been projected for the purpose of watching over the interests of the rising colonies of New South Wales and Van Dieman's Land, and invitations to become members of it have been sent to some of the leading merchants of the city. No resolutions have as yet been definitively adopted on the subject, but the details of the undertaking are to be settled at a preliminary meeting, which is to be held with that view early in the beginning of the next year. Its promoters are said to be respectable and intelligent men, who have satisfied themselves that the

object they aim at is a legitimate one, and called for by the present situation of those colonies, which are without any efficient medium at home through which communications with the government may be kept up.—*Times*, Dec. 1.

## NEW SETTLEMENT IN NEW HOLLAND.

The following is the official document which has issued from the Colonial Office, setting forth the terms on which settlers will be permitted to locate in the country adjacent to the Swan River, on the West Coast of New South Wales, where it is intended to found a new colony.

"Although it is the intention of His Majesty's Government to form a settlement on the western coast of Australia, the Government do not intend to incur any expense in conveying settlers, or in supplying them with necessaries after their arrival. Such persons, however, as may be prepared to proceed to that country, at their own cost, before the end of the year 1829, in parties comprehending a proportion of not less than five female to six male settlers, will receive grants of land in fee simple (free of quit rent), proportioned to the capital which they may invest upon public or private objects in the colony to the satisfaction of his Majesty's Govern-

Government at home, certified by the superintendent, or other officer administering the Colonial Government, at the rate of forty acres for every sum of £3 so invested; provided they give previous security—first, that all supplies sent to the colony, whether of provisions, stores, or other articles, which may be purchased by the capitalists there, or which shall have been sent out for the use of them, or their parties, on the requisition of the Secretary of State, if not paid for on delivery in the colony, shall be paid for at home, each capitalist being to be held liable in his proportion. And secondly, that on the event of the establishment being broken up by the governor, or superintendent, all persons desirous of returning to the British islands shall be conveyed to their own home, at the expense of the capitalists by whom they may have been taken out. The passages of labouring persons, whether paid for by themselves or others, and whether they be male or female, provided the proportion of the sexes before-mentioned be preserved, will be considered as an investment of capital, entitling the party by whom any such payment may have been made to an allowance of land at the rate of £15, that is, of 200 acres of land, for the passage of every such labouring person, over and above any other investment of capital.

“Any land thus granted, which shall not have been brought into cultivation, or otherwise improved or reclaimed from its wild state, to the satisfaction of Government, within 21 years from the date of the grant, shall, at the end of 21 years, revert absolutely to the Crown.

“All these conditions with respect to free grants of land, and all contracts of labouring persons, and others, who shall have bound themselves for a stipulated term of service, will be strictly maintained.

“It is not intended that any convicts, or other description of prisoners, be sent to this new settlement.

“The Government will be administered by Captain Stirling of the Royal Navy, as civil superintendent of the settlement; and a bill, in the nature of a civil charter, will be submitted to Parliament in the commencement of its next session.

“Colonial Office, Dec. 5, 1828.”

Captain Dance is appointed to command the *Sulphur* bomb, destined to convey the various artificers, &c. for the formation of the new colony, established in Oyster Harbour. Captain Stirling, of the navy, the governor, proceeds in the *Sulphur*.

#### REDUCTION IN KING'S REGIMENTS IN INDIA.

By an arrangement entered into between the East-India Government and the Ge-

neral commanding-in-chief at home, it appears that the establishment of his Majesty's regiments of the line, in the service of the East-India Company, will be reduced from the 25th December next, to that of regiments on other stations. The officers, non-commissioned officers, and privates beyond the reduced establishment will remain as supernumeraries.

#### ARCHDEACON OF NEW SOUTH WALES.

The Rev. W. G. Broughton, M.A., of Pembroke college, is appointed to the archdeaconry of New South Wales, vacant by the retirement of the Venerable J. H. Scott.

#### STEAM NAVIGATION TO INDIA.

The government of the Netherlands has ordered the immediate construction of a larger steam vessel than has hitherto swam the ocean. It is to be 250 feet in length, to have three decks, four masts, and a bowsprit, and steam-engine power equal to 300 horses, and to cost 800,000 Dutch florins. This enormous vessel is to draw but sixteen feet water when laden, and ten feet unladen. The object of the government is to facilitate the intercourse between Holland and the Dutch East-Indies, and it is calculated that about forty days will be sufficient for the voyage, which may be effected with the consumption of about 2,400,000 pounds of mineral coal.—*London paper*.

#### EGYPTIAN OFFICERS IN ENGLAND.

The Egyptian officers, who are in England for the purpose of studying our language, and of acquiring a knowledge of various arts and sciences that may be useful to their country, and promote a beneficial intercourse with our own, have arrived here this week. Several Egyptian officers have for some years been in France and Italy in pursuit of similar views, under the auspices of the respective governments of these countries. This approximation between Egypt and Europe, which reflects as much honour on the enlightened ruler to whose service these officers belong, as to the governments which have displayed such distinguished liberality, we hail with great satisfaction. Ali Effendi is going out in his Majesty's ship *Shannon*, Captain Clements, to learn navigation, and Mohamed Effendi is to remain here to study naval architecture and ship-building. Selim Aga is studying mathematics and military engineering at Woolwich; and Omar Effendi is qualifying himself for diplomacy. One of them has been four, and the remainder two years, in England. They all speak our language fluently, and express themselves in terms of the warmest gratitude for the liberality



liberality they have experienced from the government and people of this country. The whole of them are attached to the household of Ibrahim Pacha, son of the Viceroy of Egypt, and will doubtless, on their return to Egypt, occupy distinguished situations. We learn, an Armenian youth has been under instruction ten years in this country, at the expense of the Pacha of Egypt, as a reward for services rendered by his father, though a Christian—thus exhibiting a spirit of liberality which others would do well to imitate. This manifestation of enlarged sentiments on the part of the Pacha of Egypt corresponds with what we have before learnt of his character from our officers recently at Alexandria, as well as from individuals who have travelled through parts of that interesting country. The protection and hospitality experienced from him by the Earl of Belmore a few years since, and his courteousness towards Lord Yarborough, recently returned from Alexandria, are well remembered.—*Hampshire Telegraph*, Dec. 20.

## PROMOTIONS AND CHANGES IN THE BRITISH ARMY.

(SERVING IN THE EAST.)

*1st Foot.* 2d-Lieut. J. F. Denham, from h. p. Bourbon regt., to be ens., v. R. Innes, who exch. (25 Nov. 28); Surg. G. Fitzgerald, from h. p. 69th F., to be surg., v. Elkington app. to 7th L. Dr. (23 Oct.)

*2d Foot.* Ens. L. S. Dickson to be lieut. by purch., v. Kennedy prom. (27 Nov. 28); T. Sealy to be ens. by purch., v. Dickson (27 do.)

*6th Foot.* 2d-Lieut. J. Ottey, from Ceylon Regt., to be ens., v. Johnson superseded (11 Dec. 28.)

*16th Foot.* Ens. J. W. P. Audain to be lieut. (2 Oct. 28); Ens. W. Murray, from 34th F., to be ens., v. Audain (2 Oct.); F. Cassidy to be ens. by purch., v. J. Cassidy, who rets. (25 Nov.); Lieut. W. Foley to be adj., v. Brand prom. (2 Oct.)

*40th F.* Ens. F. H. Burslem, from 63th F., to be ens., v. Rogers app. to 82d F. (25 Nov. 28.); Lieut. J. Curtin to be adj., v. Neilly prom. (25 Nov.)

*46th Foot.* Paym. W. Iveson, from h. p. 18th F., to be paym., v. Grant dec. (13 Nov. 28.)

*47th Foot.* Ens. W. Alcock, from 24th F., to be lieut. by purch., v. Wily who rets. (11 Dec. 28.)

*48th Foot.* Ens. John Thompson to be lieut. by purch., v. Slater prom. (25 Nov. 28); R. Phibbs to be ens. by purch., v. Thompson (25 do.)

*57th Foot.* Lieut. Arch. Robertson to be capt. by purch., v. Macdougall, who rets.; Ens. W. W. H. Benson to be lieut. by purch., v. Robertson; and Wm. Tranter to be ens. by purch., v. Benson (all 11 Dec. 28.)

*59th Foot.* Lieut. Col. F. Fuller, from h. p., to be lieut. col., v. G. W. Walker, who exch. (25 Nov. 28.)

*63d Foot.* Maj. Hon. H. Dundas, from 28th F., to be maj., v. Kelly prom. (25 Nov. 28.)

*89th Foot.* Lieut. Thos. Collins, from 4th F., to be lieut., v. Cameron, who exch. (11 Dec. 28.)

*Ceylon Regt.* Capt. R. Sweeney, from h. p., to be capt., v. Walsh app. to 63d F. (25 Nov. 28); R. Lisle to be 2d-lieut. by purch., v. Ottey app. to 6th F. (11 Dec.)

*Brevet.* Maj. R. Axford, of Hon. E. I. C.'s service, and employed upon recruiting service of that Company, to have temporary rank of major while so employed (16 Oct. 1828).

## INDIA SHIPPING.

### Arrivals.

*Nov. 24.* *Belina*, Maidstone, from Singapore 15th May; at Gravesend.—28. *Florentia*, Walkner, from Batavia 8th Aug.; at Cowes (for Antwerp).—30. *Julia*, Grant, from Bombay 29th July; at Gravesend.—30. *John*, Moncrieff, from Batavia 20th July; at Portsmouth.—*Dec. 1.* *North Briton*, Morrison, from Singapore 18th July; at Deal.—1. *Admiral Benbow*, Crawford, from Bombay 1st Aug.; at Gravesend.—1. *Ada*, Cock, from Cape of Good Hope 14th Sept.; at Bristol.—2. *Margaret*, Coulthard, from N. S. Wales 22d June; at Greenock.—4. *Tranmere*, Wales, from V. D. Land 29th June; at Gravesend.—7. *Sovereign*, McKellar, from Bengal 26th July; at Deal.—8. *Louisa*, Mackie, from Bengal 30th June; at Leth.—8. *Morley*, Williams, from Batavia 20th Aug.; at Deal.—10. *Iris*, Frank, from Bengal 12th Aug.; at Cowes.—12. *Hottentot*, Weiss, from Mauritius 5th Sept.; at Cowes (for Antwerp).—14. *Mury*, Dagnio, from Bombay 2d Aug., and Mauritius 24th Sept.; at Deal.—14. *America*, Donald, from Singapore 1st June, and Batavia 1st Aug.; off Dover.—16. *Symmetry*, Smith, from Ceylon 12th Aug., Mauritius 9th Sept., and Cape 17th Oct.; off Margate.—21. *Norman*, Gennie, from Mauritius; at Ramsgate (for Havre).—24. *Fanny*, De Boer, from Batavia; off Dover (for Antwerp).—27. *Madras*, Beach, from Bengal 9th July, and Madras 24th Aug.; off Margate.

### Departures.

*Nov. 29.* *Georgiana*, Thompson, for N. S. Wales; from Sheerness.—*Dec. 1.* *Nimble*, Broad, for Mauritius; from Deal.—1. *Forth*, Robertson, for Mauritius; from Deal.—1. *Dryade*, Kellock, for Mauritius and Bengal; from Deal (obliged to put into Plymouth on 8th Dec. damaged).—1. *Morning Star*, Barker, for Madras; from Deal.—1. *Clarence*, Muddle, for V. D. Land and N. S. Wales; from Deal.—6. *Spartan*, Lumsden, for Bengal; from Liverpool (having put back on 27th Nov.).—13. *Mary Ann*, Spottiswoode, for Madras; from Deal.—13. *Laurel*, Tait, for Bengal; from Greenock.—14. *Janet*, Lowther, for Bombay; from Deal.—14. *William Maitland*, Jameson, for Bombay; from Deal.—14. *H. M. S. Challenger*, Freemantle, for Cape, Mauritius, and Swan River, New Holland; from Portsmouth.—14. *Endora*, Crawford, for Bengal; from Portsmouth.—14. *Lord Melville*, Brown, for N. S. Wales; from Portsmouth.—14. *Olinda*, Robinson, for Cape of Good Hope; from Portsmouth.—15. *Edward*, Gilbert, for N. S. Wales (with convicts); from Cork.—23. *Mountstuart Elphinstone*, Ritchie, for Bombay; from Greenock.—23. *Polusia*, Hannan, for V. D. Land and N. S. Wales; from Liverpool.—24. *Fesjee*, Mac Gowan, for Batavia and Singapore; from Liverpool.

## PASSENGERS FROM INDIA.

*Per Admiral Benbow*, from Bombay: Mr. W. A. Crawford.

*Per North Briton*, from Singapore, &c.: Mr. Strachan, and Capt. Syme, from Singapore; Mr. Mac Carty, civil service, Mauritius; Mr. Jas. Nisbet, merchant, from the Cape.

*Per Sovereign*, from Bengal: Mrs. Shaw and two children; Mr. Downs; Mr. Turner; Mr. Young; Dr. Malcolm.

*Per Mary*, from the Mauritius: Capt. Holmes, of the late ship *Sowerby*.

*Per Hottentot*, from the Mauritius: Mrs. Frober-ville.

*Per Symmetry*, from Ceylon: Mrs. Mainwaring; Mrs. Haddock; Mr. C. Spain; Mr. Hyde; Mr. Archer; Mr. Bloomer; Mr. Willnot and three children; Mr. and Mrs. Roberts; Mrs. Taylor; Mrs. Lisk; Mr. Chambers; one child; and three servants.

*Per Madras*, from Madras: Mrs. Hill; Mrs. Scott; Mrs. Stonehouse; Mrs. Maj. Hodgson; Mrs. Henderson; Miss Neufville; D. Hill, Esq., Madras civil service; T. V. Stonehouse, Esq., ditto; W. H. Parry, Esq., ditto; Col. D. Foulls, Madras cavalry; Col. F. C. Fraser, Madras N.I.; W. Scott, Esq., firm of Binney and Co.; Capt. Richard, Madras N.I.; Lieut. F. Morgan, H.M.'s 13th L.D.; Lieut. W. Mac Clevery, H.M.'s 48th regt.; Lieut. A. P. Thompson, Madras cavalry; Lieut. H. Vanderzee, Madras N.I.; Lieut. H. Moore, ditto; Misses Jessy Scott, Mary Scott (an infant), Palmer, two Gordon, two Oliphant, Hodgson, two Pulham, and two Stonehouse; Masters Palmer, two Scott, Oliphant, Pulham, and Stonehouse; 8 female servants; 4 male ditto; 25 H.C.'s invalids.

## MISCELLANEOUS NOTICES.

The *Woodlark*, Leary, from N. S. Wales and V. D. Land to Cape of Good Hope, was totally wrecked 18th April on an unknown shoal about 60 miles from Wreck Reef, coast of New Holland—crew saved.

The *Teignmouth*, Cole, from Mazatlan to the Sandwich Islands, was totally lost in the Gulf of California, in July—the crew and 35,000 dollars saved.

The *Dove* cutter, N. S. Wales colonial vessel, is lost on the coast of New Holland.

The *Sowerby*, Holmes, of Liverpool, has been condemned at the Mauritius as unseaworthy.

The *Alfred*, Hill, from London to Madras, was spoken with on 14th Oct. in lat. 6. N. Long. 18; she had been fallen in with by a pirate a little to the north of the Cape de Verdes, which kept in at her quarters four nights, but left her on the fifth morning, in consequence of finding the crew on the alert.

The Dutch ship *Cornelius*, Houtman, from Java to Japan, is said to be lost near Batavia.

The *Prince Regent*, Scott, from Liverpool to

Bombay, which put into Dublin on 18th Nov. for repairs, has been condemned.

## BIRTHS, MARRIAGES, AND DEATHS.

## BIRTHS.

Oct. 29. At Edinburgh, the lady of Lieut. Col. H. Faithfull, of the Bengal artillery, of a daughter.

Dec. 9. In South Street, Finsbury Square, the lady of Capt. D. Miller, of the East-India service, of a son.

— At Winchester, the lady of Capt. R. C. Faithfull, of a daughter.

12. The lady of J. Petty Muspratt, Esq., of a son.

18. At Cleasby, near Darlington, the lady of Octavus Wray, Esq., of the Hon. E. I. Company's Bengal medical service, of a son and heir.

## MARRIAGES.

Nov. 27. At Westham, Richard Rawes, Esq., of the Hon. E. I. Company's service, to Mrs. Bayley, of Stratford Grove, Essex.

Dec. 2. At Taplow, the Rev. M. Thompson, of Woburn, Bucks, late senior chaplain at Madras, to Lucy, second daughter of R. Bird, Esq., of Taplow Hill, same county.

— At Presteigne, county of Radnor, the Rev. S. Evans, A.M., of Seedley House, Leintwardine, Herefordshire, late chaplain on the Bengal establishment, to Miss Phillips, of Dulwich, county of Surrey.

3. At Middleton House, North Britain, Col. Alex. Cumming, of the Bengal cavalry, to Jane, daughter of the late A. H. Mitchelson, Esq., of Middleton.

8. At Leatherhead, Capt. W. Moore, 6th Dragoons, to Charlotte, eldest daughter of William Stanley Clarke, Esq., of Elm Bank, Surrey.

10. At Stratfield-saye Church, John Forbes, Esq., M.P., eldest son of Sir Chas. Forbes, Bart., M.P., to Mary Jane, eldest daughter of H. L. Hunter, Esq., of Beach Hill, Berks.

11. At Edinburgh, Lieut. John Bartleman, Bengal N.I., to Mary, only daughter of the late A. Macdonald, Esq., of Laig, Inverness-shire.

## DEATHS.

Nov. 15. At Glasgow, James Muirhead, Esq., formerly of the Hon. E. I. Company's service.

30. At Bromley, Kent, Harriett, wife of Capt. Rawes, of the Hon. E. I. Company's service, aged 38.

Dec. 3. At his house, in Gloster Place, Portman Square, Jas. Sutherland, Esq., formerly of Bombay, aged 79.

24. At Clifton, Lieut. W. G. Nugent, of the Madras engineers, aged 23.

*Lately*, On board the *Valleyfield*, on the passage to England, Francis Holland, Esq., of the Madras civil service.

# GOODS DECLARED FOR SALE AT THE EAST-INDIA HOUSE.

For Sale 20 January—Prompt 10 April.

Company's and Licensed.—Indigo.

For Sale 23 February—Prompt 12 June.

Company's.—Bengal Raw Silk.

Private-Trade.—China, Bengal, and Persian Raw Silk.

The Court of Directors have given notice, that from and after the 27th Dec. 1828, the Warehouse Rent on all Saltpetre deposited with the Company will be charged Three-pence per ton per week ; and also that all Saltpetre of former importations, remaining in the Company's warehouses, and Company's Saltpetre in the hands of the Buyers, will be charged at the same rate.

## LIST of SHIPS trading to INDIA and Eastward of the CAPE of GOOD HOPE.

Destination.	Appointed to sail.	Ship's Name.	Tonnage.	Owners or Consignees.	Captains.	Where loading.	Reference for Freight or Passage.
Madras, Penang, & Singapore, ... Point de Galle and Madras	1828.						
	Jan. 10	Christiana	316	Hall and Co.	William Hall	W. I. Docks	Hodgson & Co., and E. & A. Rule.
	3	General Palmer	510	G. Truscott	Wm. Thomas	E. I. Docks	{ Capt. Truscott, Cornhill, or J. P. Muspratt, New Broad-street.
	—	Royal Admiral	414	Wm. Bottomley	Alex. Wilson	W. I. Docks	Buckles & Co., and Tomlin & Man.
Gravee. Port.	Gravee.	Mary Ann	482	Thomas Ferguson	Michael O'Brien	St. K. Docks	E. Read, Riches-court, Lime-street.
	17	Clyde	451	Fairlie, Bonham, & Co.	D. M. Munro	E. I. Docks	J. S. Brinley, and W. Abercrombie.
	91	Palmyra	580	George Joad	H. Thompson	W. I. Docks	Barber, Neate, & Co., Clement's-lane.
	March 7	David Scott	737	Mungo Gilmore	Jas. Jackson	E. I. Docks	Hunter and Co., Old Broad-street.
Madras & Bengal	April 20	St. Edward Puget	422	Green and Co.	John Campbell	City Canal	J. Pirie & Co., Freeman's-ct., Cornhill.
	May 1	Orient	57	White and Cooke	Thos. White	E. I. Docks	Capt. W. White, Jerusalem Coffee-house.
	15	Cambridge	812	Palmer, McKillop, & Co.	James Barber	E. I. Docks	Barber, Neate, & Co.
	17	Neptune	642	John Cumberlege	J. A. Cumberlege	E. I. Docks	John Lyney, jun.
Bengal	Jan. 5	Burrell	412	Jas. Burrell	John Mitcalfe	W. I. Docks	E. and A. Rule, Lime-street.
	20	Lady Hannah Ellice	341	J. Mac Farlane	John Liddell	Lon. Docks	E. and A. Rule, Lime-street.
	10	Satira	360	James Drew	Thomas Scriffen	W. I. Docks	Walter Buchanan, Leadenhall-street.
	4	Argo	170	John Billing, Jun.	G. J. Redman	St. K. Docks	William Redhead, jun., Lime-street.
Bombay	15	Vallagfield	568	Alexander Greig	E. I. Docks	Lon. Docks	L. Lyall and Greig, Billiter-square.
	10	Norfolk	343	John Chapman & Co.	Thos. Johnson	Lon. Docks	J. Chapman & Co., & W. Buchanan.
	28	Elanor	—	W. H. Edmonds	W. H. Edmonds	City Canal	J. L. Heathorn.
	Feb. 28	Hero of Maloen	487	Alexander Brown	John L. Studd	E. I. Docks	Ingilis, Forbes, & Co., and W. Aber-
Mauritius & Capton	March 20	Hero of Maloen	487	Alexander Brown	John L. Studd	E. I. Docks	Ingilis, Forbes, & Co., and W. Aber-
	10	Cleveland	385	Geo. Joad and Co.	Wm. Richardson	W. I. Docks	Thos. Surfen, George-yard.
	Jan. 3	Elphinstone	385	John Barry	Wm. Havelock	W. I. Docks	John Lyney, jun.
	—	Prince George	320	H. Wright	T. R. Harris	W. I. Docks	E. and A. Rule.
Batavia, Singa- pore, & Manilla	—	Abdon	300	George Irvin	Edw. Follins	W. I. Docks	Anderson, Wise, and Co., Old Jewry.
	15	Carthage	222	Robert King	R. Winspear	W. I. Docks	R. King, Commercial Sale Rooms.
	19	Henry	180	Henry I. Bunney	H. I. Bunney	Lon. Docks	Cookes and Long.
	3	Carthage	180	Edm. Henderson	H. E. Henderson	Lon. Docks	L. Swinson, Nod's Head-court.
St. Helena & Cape	20	Blackwell	538	John Pirie & Co.	Adam Riddell	Shields	John Pirie and John Pirie
	—	Eliza	538	Ockerill and Co.	Daniel Leary	Cork	Joseph Larchan, Mile-street.
	31	Percy	238	Richard Mount	Josiah Middleton	Lon. Docks	John Marshall, Birch-lane.
	5	Bermont	211	W. Buchanan	James Walmsley	Lon. Docks	Walter Buchanan.
V. D. Land	20	Leon	211	John Lumsden	John MacLeod	Lon. Docks	St. K. Docks Buckles and Co.
	3	Prince Regent	385	Buckles and Co.	Chas. Mallard	St. K. Docks	Wm. Martin, E. I. Chambers.
	10	St. George	310	William Martin	John Langley	Lon. Docks	Edw. and Arthur Rule.
	—	Danon	300	John Wilson	John Wilson	Lon. Docks	L. Swanson, and R. Thornhill.
V. D. Land & N. S. Wales	20	Marq. of Anglesen	352	George Barrick	William Steward	Lon. Docks	L. Swanson, and R. Thornhill.
	—	Mary Ann	490	Salton and Co.	Geo. Hathaway	Plymouth	Buckles and Co.

# EAST-INDIA COMPANY'S SHIPS, of the Season 1898-9, with their Managing Owners, Commanders, &c.

Ships.	Tons.	Managing Owners.	Commanders.	First Officers.	Second Officers.	Third Officers.	Fourth Officers.	Surgeons.	Purveys.	Consignments.	To be Afloat.	To be Crues-ent.	To be Down.	When Sailed.
7 <i>Buckinghamshire</i> .....	1367	<i>Company's Ship</i>	R. Glaspoole .....	J. Hilman .....	Thos. Allchin .....	H. Cayley .....	C. W. White .....	A. Johnstone .....	R. G. Lancaster .....	Bombay & China	1898.	1899.	1899.	1899.
8 <i>Herefordshire</i> .....	1270	John Locke .....	Wm. Hlope .....	E. Ford .....	R. Card .....	J. R. Lancaster .....	J. D. Hosman .....	J. Thomson .....	E. Crowfoot .....		21 Nov.	7 Dec.	12 Jan.	
9 <i>Bridgewater</i> .....	1276	James Sims .....	J. R. Manderson .....	W. H. Walker .....	C. S. Bawtree .....	Wm. Toller .....	F. Sims .....	G. Graham .....	J. Cragg .....	Bombay & China				
8 <i>Lady Melville</i> .....	1263	O. Wigram .....	R. Clifford .....	R. Clifford .....	Wm. Lewis .....	T. Littlejohn .....	H. Walford .....	T. Foulerton .....	W. Clifford .....					
8 <i>General Kyd</i> .....	1266	R. Small .....	Samuel Serie .....	R. Aplin .....	A. C. Barclay .....	John Domett .....	John B. Down .....	F. P. Alley .....	B. B. Lord .....	St. Helena, Bom- bays, & China	8 Dec.	21 Dec.	26 do.	
5 <i>Barquharson</i> .....	1265	J. C. Lochner .....	J. Cruickshank .....	R. Jobling .....	G. Lloyd .....	J. G. Murray .....	T. Rennie .....	J. Blennerhasset .....	F. A. Halpin .....	Bombay & China				
9 <i>India</i> .....	1268	R. Borradaile .....	J. Dudman .....	P. Herbert .....	W. B. Coles .....	Jas. Nowat .....	John Garner .....	John Lawson .....	R. Middlemass .....					
7 <i>Duke of York</i> .....	1327	S. Marjoribanks .....	R. Locke .....	G. Ireland .....	J. Thomson .....	Dudley North .....	H. L. Bayley .....	David Allan .....	W. E. Browne .....	Bombay & China	22 do.	3 Jan.	10 Feb.	
5 <i>Hythe</i> .....	1333	S. Marjoribanks .....	J. Shepherd .....	G. C. Aroughnot .....	Robert Scott .....	C. K. Johnstone .....	Wm. T. Dry .....	R. Alexander .....	D. Grassick .....					
9 <i>Duke of Sussex</i> .....	1339	S. Marjoribanks .....	W. H. Whitehead .....	John D. Orr .....	Bazil W. Mure .....	C. MacRae .....	T. Ouslow .....	John Sim .....	C. D. Morson .....	Bombay & China				
9 <i>Atlas</i> .....	1267	C. O. Mayne .....	John Hine .....	H. Bristol .....	John Vaux .....	C. Hawkins .....	C. Morgan .....	R. Murray .....	W. Gallagher .....					
6 <i>Kellie Castle</i> .....	1332	Geo. Reed .....	E. L. Adams .....	R. Patullo .....	Francis West .....	W. S. Stockley .....	J. Hamilton .....	John Cullen .....	J. White .....	St. Helena, Stra. of Malacca, & China	1899.	19 Jan.	24 do.	
8 <i>Thames</i> .....	1390	H. Blanchard .....	J. K. Forbes .....	Chas. Penny .....	Wm. Clark .....	John M. Favell .....	Wm. Rudd .....	James Will .....	F. P. Cockerill .....	Madras & China	19 Jan.	3 Feb.	12 Mar.	
6 <i>Windsor</i> .....	1353	Geo. Clay .....	T. Haviside .....	W. MacNair .....	Mark Clayton .....	R. E. Warner .....	Benj. J. Elder .....	Joseph Docker .....	F. Jenkins .....					
5 <i>Palatine</i> .....	1334	John F. Timins .....	J. Paterson .....	H. Gribble .....	A. C. Watling .....	G. S. Hirst .....	H. Baker .....	Wm. Scott .....	N. G. Glas .....					
7 <i>Warratoo</i> .....	1323	<i>Company's Ship</i>	D. R. Newall .....	W. R. Blakeley .....	F. Hedges .....	T. Packman .....	C. Evans .....	J. Halliday .....	A. E. Dare .....					
8 <i>Penistart</i> .....	1278	Joseph Hare .....	W. H. C. Dalrymple .....	H. Edmonds .....	A. C. Barclay .....	John Duncan .....	J. W. Wilson .....	John Benifold .....	John Benifold .....	China	5 Mar.	20 Mar.	25 Apr.	
12 <i>Scotley Castle</i> .....	1242	<i>Company's Ship</i>	J. B. Burnett .....	Peter Pilcher .....	W. Taylor .....	J. Tate .....	D. Thompson .....	W. Hayland .....	Thos. Storey .....					
10 <i>Lochter Grant</i> .....	1274	Matthew Isacke .....	G. K. Bathie .....	J. Coates .....	C. A. Eastmore .....	C. Hayward .....	A. Burnell .....	— .....	F. Palmer .....		10 do.	do.	19 do.	
11 <i>Charles Grant</i> .....	1274	Wm. Moffat .....	R. B. Everest .....	J. Coates .....	C. A. Eastmore .....	C. Hayward .....	A. Burnell .....	— .....	F. Palmer .....					
8 <i>Thomas Grenville</i> .....	886	<i>Company's Ship</i>	Chas. Shea .....	R. Robson .....	J. Crozier .....	A. Urmon .....	B. Mackenzie .....	Adam Elliot .....	J. Adams .....	Madras & Bengal	20 do.	3 Apr.	7 May	
8 <i>Minerva</i> .....	970	Geo. Palmer .....	G. Probyn .....	Jas. Drayner .....	C. Ingram .....	A. Tudor .....	B. Littlehats .....	Wm. Chanter .....	J. E. Markland .....					
9 <i>Princess Charlotte</i> .....	978	C. B. Gribble .....	C. Bidden .....	C. W. Francken .....	David Home .....	Chas. Gribble .....	— .....	— .....	W. H. Hunt .....	Bombay	18 Apr.	2 May	5 June	
9 <i>Marquis of Wellington</i> .....	961	H. Bonham .....	A. Chapman .....	R. B. Shittler .....	J. S. Sparks .....	W. Lidderdale .....	— .....	— .....	— .....					

# PRICE CURRENT, November 25.

EAST-INDIA PRODUCE.			Indigo, Blue.....lb			£. s. d.			£. s. d.		
	£. s. d.	£. s. d.									
Coffee, Java.....cwt			Blue and Violet.....	0	9	9	—	0	10	0	
Cheibon.....	1 14	0	Purple and Violet.....	0	9	0	—	0	9	6	
Sumatra.....	1 13	0	Violet.....	0	7	6	—	0	8	9	
Bourbon.....			Violet and Copper.....	0	7	0	—	0	8	0	
Mocha.....	3 5	0	Copper.....	0	6	9	—	0	7	9	
Cotton, Surat.....	0 0	4	Consuming sorts.....	0	5	0	—	0	7	3	
Madras.....	0 0	4	Oude good and mild.....	0	4	6	—	0	6	0	
Bengal.....	0 0	4	Do. ord. and bad.....	0	2	9	—	0	4	3	
Bourbon.....			Low and bad Oude.....	0	2	4	—	0	7	6	
Drugs & for Dyeing.			Madras.....								
Aloes, Epatica.....cwt.	10 0	0	Do. mild, ord. and bad.....								
Aniseeds, Star.....	5 5	0	Rice, Bengal White.....cwt.	0	15	0	—	0	18	0	
Borax, Refined.....	3 0	0	Patna.....	0	17	0	—	1	1	0	
Unrefined, or Tincal.....	3 2	0	Safflower.....	2	0	0	—	9	0	0	
Camphire.....	7 0	0	Sago.....	0	15	0	—	1	10	0	
Cardamoms, Malabar.....lb			Saltpetre.....	1	4	0	—	1	11	0	
Ceylon.....	0 1	6	Silk, Bengal Skein.....lb								
Cassia Buds.....cwt.	6 10	0	Novi.....	0	16	0	—	1	2	6	
Lignea.....	4 8	0	Ditto White.....	0	16	2	—	1	1	8	
Castor Oil.....lb	0 1	0	China.....	0	18	5	—	0	19	9	
Dragon's Blood.....cwt.	4 0	0	Spices, Cinnamon.....	0	4	0	—	0	8	3	
Gum Ammoniac, lump.....	2 0	0	Cloves.....	0	1	3	—	0	2	6	
Arabic.....	1 5	0	Mace.....	0	4	6	—	0	6	0	
Assafetida.....			Nutmegs.....	0	2	8	—	0	3	4	
Benjamin.....	3 0	0	Ginger.....cwt.	0	16	6	—	0	17	6	
Anini.....	3 0	0	Pepper, Black.....lb	0	0	3	—	0	0	4	
Gambogium.....	20 0	0	White.....	0	0	8	—	0	0	11	
Myrrh.....	3 0	0	Sugar, Bengal.....cwt.	1	10	0	—	2	0	0	
Olibanum.....	2 15	0	Siam and China.....	1	10	0	—	2	0	0	
Kino.....	9 0	0	Mauritius.....	1	1	0	—	1	18	0	
Lac Lake.....lb	0 1	6	Tea, Bohea.....lb	0	1	5	—	0	2	1	
Dye.....	0 3	7	Congou.....	0	2	2	—	0	3	0	
Shell.....cwt.	3 18	0	Souchong.....	0	3	3	—	0	4	3	
Stick.....	3 0	0	Campoi.....	0	2	4	—	0	3	7	
Musk, China.....oz.	1 0	0	Twankay.....	0	2	3	—	0	3	3	
Oil, Cassia.....	0 0	4	Pekoe.....								
Cinnamon.....	0 17	0	Hyson Skin.....	0	2	2	—	0	3	9	
Cloves.....lb	0 0	6	Hyson.....	0	3	8	—	0	5	11	
Mace.....	0 0	2	Young Hyson.....								
Nutmegs.....	0 2	9	Gunpowder.....								
Opium.....			Tortoiseshell.....	1	8	0	—	2	14	0	
Rhubarb.....	0 1	6	Wood, Sanders Red.....ton	9	0	0	—	10	0	0	
Sal Ammoniac.....cwt.	2 14	0									
Senna.....lb	0 0	9	AUSTRALIAN PRODUCE.								
Turnerick, Java.....cwt.	1 8	0	Oil, Southern.....tun	23	0	0	—	30	0	0	
Bengal.....	1 2	0	Sperm.....	78	0	0	—				
China.....	1 14	0	Head Matter.....								
Galls, in Sorts.....	3 0	0	Wool.....lb	6	1	3	—	0	5	0	
Blue.....	3 13	0	Wood, Blue Gum.....ton	0	4	—	0	0	6		
			Cedar.....	0	0	7	—				

## DAILY PRICES OF STOCKS, from 26 November to 25 December.

Nov.	Bank Stock.	3 Pr. Ct. Red.	3 Pr. Ct. Consols.	3 Pr. Ct. Consols.	3 Pr. Ct. Red.	N. 4 Pr. C. Ann.	Long Annuities.	India Stock.	India Bonds.	Exch. Bills.
26	—	85½85½	86½86½	—	94½94½	102½102½	19½19½	—	63 66p	60 66p
27	207½8½	85½86	86½86½	94½94½	94½94½	102½102½	19½19½	—	65 73p	64 70p
28	207½8½	86 86½	86½86½	95	94½95½	102½103	19½19½	—	73 77p	70 74p
29	208	85½86	86½86½	—	94½94½	102½102½	19½19½	240 1	72 75p	69 74p
Dec.										
1	207	85½86	86½86½	—	94½94½	102½102½	19½19½	—	68p	62 69p
2	208 ½	86 86½	85½85½	95	94½95	102½102½	19½19½	—	64 67p	62 65p
3	—	86½86½	86½86½	95½	94½95½	—	19½19½	—	62 64p	60 64p
4	208½9	86½86½	—	95½	95½95½	—	—	—	64 68p	66 67p
5	208½9	86½86½	—	95½	95½95½	—	19½19½	—	67 69p	65 68p
6	209	86½86½	—	95½95½	95½95½	—	19½19½	—	68p	65 67p
8	208½	986½86½	—	—	95½95½	—	19½	—	64 67p	64 66p
9	209	86½86½	—	95½95½	95½95½	—	19½19½	—	66 67p	64 66p
10	—	86½86½	—	95½	95½	—	19½19½	—	65p	64 66p
11	209 10	86½86½	—	94½95½	95	—	19½	—	61p	60 64p
12	—	86½86½	—	95	94½95½	—	19½19½	—	65 66p	60 64p
13	208½	86½	—	—	94½94½	—	19½19½	—	62 65p	61 63p
15	209½	86½86½	—	—	94½95½	—	—	—	62p	61 64p
16	209 10	86½86½	—	95½	94½95½	—	19½19½	—	64p	63 65p
17	209	86½86½	—	95	94½95	—	19½19½	—	67 68p	64 66p
18	210	86½86½	—	95½	95½	—	19½	—	69 71p	65 69p
19	209½	86½86½	—	95½95½	95½95½	—	19½19½	—	70 72p	68 70p
20	209½	86½86½	—	—	95½95½	—	19½19½	—	72p	68 70p
22	208½	86½86½	—	—	95½95½	—	19½19½	—	70 71p	68 71p
23	209½	86½86½	—	95½95½	95½95½	—	19½	—	70p	69 70p
24	—	86½86½	—	95½95½	95½95½	—	19½19½	—	71 73p	69 71p
25	—	—	—	—	—	—	—	—	—	—

# THE ASIATIC JOURNAL

FOR  
FEBRUARY, 1829.

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## Original Communications,

&c. &c. &c.

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### THE MACKENZIE COLLECTION.

Much anxiety and impatience have been felt, for some years past, amongst oriental scholars in Europe, respecting the very extensive collection of manuscripts and other literary acquisitions left by the late Colonel Mackenzie, which became by purchase the property of the East-India Company. The indefatigable exertions of that officer, who may justly be considered to have devoted his life, as well as his pecuniary resources, to objects connected with our knowledge of India, and the vast variety of materials he was able to accumulate in the course of more than thirty years' almost unremitted pursuit, as well as a superficial acquaintance with the nature of the materials given to the world soon after his death, were fair criteria of the intrinsic value of his collection. It is with a degree of pleasure proportionate to our anxiety that we find the task of examining and reporting its contents has fallen into the able hands of Mr. Wilson, secretary of the Asiatic Society of Bengal. The philological knowledge of this gentleman (though not, indeed, comprehending the dialects of Southern India), and his varied literary attainments, added to the amazing industry by which he is distinguished, admirably adapt him to an undertaking for which no single scholar could be expected to possess full qualifications, since it required the knowledge of fourteen languages and sixteen different characters.

Mr. Wilson has published at Calcutta a descriptive catalogue of this great collection,\* to which he has prefixed some very interesting disquisitions, shewing the chief results of it, and the degree in which it may be expected to illustrate the literature, religion, and history of a considerable portion of Hindustan.

In our thirteenth volume (p. 242) we inserted a letter from Colonel Mackenzie to Sir Alexander Johnston, dated in February 1817, wherein he gives  
a very

\* A Descriptive Catalogue of the Oriental Manuscripts and other Articles illustrative of the Literature, History, Statistics, and Antiquities of the South of India; collected by the late Lieut. Col. Colin Mackenzie, surveyor-general of India. By H. H. Wilson, Esq., &c. &c. Calcutta, 1826. 2 vols. 4to.

a very detailed account of the labours and pursuits which led to the accumulation of these materials, and which engrossed his whole life from his arrival in India, in the year 1783. Of the value of his official surveys, ample testimonials are upon record. In a letter from the Home government to Fort St. George, dated February 1810, Colonel Mackenzie's geographical surveys and statistical researches are spoken of in the warmest terms of praise; and it is immediately added: "This observation applies, with at least equal propriety, to his superadded inquiries into the history, the religion, and the antiquities of the country: objects pointed out, indeed, in our general instructions to India, but to which, if he had not been prompted by his own public spirit, his other fatiguing avocations might have been pleaded as an excuse for not attending." The Court of Directors also expressed a hope that the Colonel should himself digest the materials he had collected, offering to indemnify him for the disbursements he had made in procuring them, and which it appears from the volume before us probably exceeded a lac of rupees. In his letter, Colonel Mackenzie states that he intended, notwithstanding his ill-health, to attempt a condensation and translation of the original manuscripts, and "preparatory to his return to Europe to effect a condensed view of the whole collection, a *Catalogue Raisonné* of the MSS., books, &c., and to give the translated materials such form as might facilitate the production of some facts, should they ever appear to the public." Obstacles occurred to prevent the fulfilment of this project; and the Colonel died in 1821.

Besides the collection now under our notice, there existed a variety of other materials belonging to Col. Mackenzie (to which we perceive no distinct reference in Mr. Wilson's *Catalogue*), consisting of notes, observations, journals, coins, inscriptions, drawings, and a considerable collection of MSS. in various languages, including forty volumes in Javanese; a "brief view" of which, from the pen of Col. Mackenzie himself, enriched with some curious and valuable remarks, appeared in this journal, vol. xiii. p. 313.

Some idea may be formed of the magnitude of the collection in the catalogue before us, from the following abstract of its contents: the number of literary MSS. is 1568, of which 681 are in the Sanscrit language, in ten different characters; the Tamul MSS. are 274 in number, the Telinga 176, the Kanara 208; the rest are in the Malayalam, Orissa, Mahratta, Hindi, Persian, Arabic, Hindustani, Javanese, and Burman languages. The local tracts, in the Telinga, Canara, Tamul, and Mahratta languages, consist of 2,070, in 264 volumes. The inscriptions are 8,076, in 77 volumes. The translations and tracts in loose sheets and volumes are in number 2,159. The plans and drawings are 2,709, the coins 6,218, the images 106, and the antiquities 40.

Mr. Wilson, in his introduction, after quoting some passages of the letter to which we have alluded, describes the collection as one "which no individual exertions have ever before accumulated, or probably will again assemble. Its composition," he adds, "is, of course, very miscellaneous, and its value, with respect to Indian history and statistics, remains to be ascertained; the collector himself having done little or nothing towards a verification of its results. It is the more to be regretted that Colonel Mackenzie did not live to execute some connected view of the principal facts his collection furnishes, whilst he commanded the aid of the agents by whom it was formed, who, under his superintendence, had learned to feel a lively interest in the task, who had acquired a knowledge of the leading results which it were vain to look for in any other natives, and who are now, for the greater and most valuable part, dead or dispersed." Upon the Colonel's death, it appears, the native agents began to draw

draw up short catalogues of the articles and books; these were completed and carefully revised under the superintendence of Mr. Wilson, such of the works as he could not peruse being verified by other means; and thus was produced the present *Catalogue* of what may be regarded as the literature of the south of India. "The subject," observes Mr. Wilson, "is hitherto almost unknown to the literature of Europe, and from its novelty, if not from its importance, is likely to be thought entitled to special attention."

The Sanscrit manuscripts, Mr. Wilson tells us, are of little value. The works are, for the most part, such as are to be found in great abundance, and in better condition, in other parts of India, and are not recommended by rarity or local peculiarity; they are written with an iron style upon palm leaves, generally in very bad order, and more or less imperfect. The *Māhātmyas*, and *St'hala Purānas*, legendary histories of holy places, are exceedingly numerous. These local histories are mostly extravagant fictions. A few *Cheritras*, historical and biographical narratives, possess some local value, though tinged too much with the legendary complexion to be very useful to the historian. Some of the Sanscrit manuscripts belong to the literature of the Jains, whose peculiar tenets Colonel Mackenzie had the merit of being the first to notice and describe (the Jains and Bauddhas having been previously confounded together), by means of personal intercourse with several well-informed Jains, and visits to their principal shrines. The Jain works in the collection are forty-five in number, of which the *Purānas* are of great extent, and "sufficiently evince the late origin of the sect, in their attempt to improve upon Brahminical exaggeration, by exaggeration infinitely more extravagant." Some translations of these monstrous legends are inserted in the *Catalogue*; they mention personages 100 cubits and more in height, of golden and blue complexions, living hundreds of thousands, and even millions, of years, &c. Besides these, Jain literature comprehends a few books on medicine, grammar, and arithmetic, and rituals and treatises on the religious and moral obligations of the sect.

The next in number to the Sanscrit are the manuscripts in the Tamul, a language spoken by about five millions of people, and considered to be the most classical in the peninsula. "On referring to the list of Tamul books," says Mr. Wilson, "it will be found that they furnish undeniable proofs of their having been written subsequently to the great body of Sanscrit composition, as they are in fact nothing but translations from the Sanscrit. We might also infer the later date of such Tamul literature as is original from its being the work, in a great measure, of Sūdras and Jains, as if it had been part of an attempt to oppose and overthrow the predominance of the Brahmins, to whose priority, therefore, it bears witness." Of the original Tamul works, which included tales and dramas, the moral poems are the most curious, being the production of Pariahs, the lowest caste, who yet enjoy the highest estimation. Amongst them is Avyar, a female moral poet, some of whose productions have been translated and published in the *As. Res.* vol. vii.; and Tiruvalluvar, or the divine Valluvar, the author of the *Koral*, a moral poem on the various conditions of human life. The *Koral* was translated by the late Mr. Ellis, and partly printed at Madras. Some stanzas of this translation are inserted in the work before us; they are "On the Power of Virtue," in which Pope's maxim, that "Virtue alone is happiness below," is enforced in a variety of ways. "Virtue," says the Tamul author, "is that which each ought to do; vice that which each ought to shun:" a definition which seems to us to leave the terms undefined.



The Telinga or Telugu manuscripts are the next in number to the Tamul. This literature mostly consists of translations, and is largely indebted to Sanscrit writings. The works of highest repute are translations from the Sanscrit; the oldest works extant are not of higher antiquity than the end of the twelfth century, whilst its Augustan era was the beginning of the sixteenth. Of the original works, numbers are sectarial legends of modern origin; there are also local *cheritras*, some poems and tales of native production, but no *nâtaks*, or dramatic compositions, which are common in Tamul. A peculiarity in Telugu literature is that a biographical or genealogical account of the patron of the author is inserted in most works.

The Kanara or Karnata manuscripts are of two classes, the Hâla Kanara, the ancient language and that of literary composition; and the Kanara, the common colloquial tongue; the latter is used mostly in local and occasional tracts of recent date; the former has an independent and a curious literature. The antiquity of the Hâla Kanara is ascertained by a book in this collection, which is dedicated to a prince who reigned about the middle of the thirteenth century; and some works are known of much earlier date. "Although the literature of Hâla Kanara," observes Mr. Wilson, "consists in part of translations from the Sanscrit, and consequently, like its cognate literature (Tamul and Telugu), is subsequent to that of the Brahmans, it comprehends a distinct and extensive class of works, which are neither derived from Sanscrit nor the work of the Brahminical caste. They are composed by priests of a particular branch of the Saiva faith,—that of the Lingamites,—and relate to the actions and doctrines of the founders and teachers of the sect. The schism originated in the twelfth century, and the works connected with it are consequently posterior to that date." These are legends and Pauranic stories, excessively absurd and mostly insipid, though many of them are highly characteristic, and "indicate a state of religious practice and belief, almost as foreign to the genuine Hindu creed as to common sense and morality." Amongst the Hâla Kanara books are some of an historical character, and amusing fictions. The *Somasekhara and Chitrasekhara Kathâ*, a story book of the latter class, contains tales nearly resembling the adventures of heroes familiar to western readers in their early years.

The list of Malayalam books is very limited, and almost restricted to the *Kerala Utpatti*, or History of Kerala, or Malabar. This work, which is met with either whole or in portions, contains an account of the origin, history, and institutes of Malabar, serving as a code of laws, as well as an historical record. A large extract is given in the *Catalogue*. It is in prose, and according to Mr. Ellis, the only work of the kind. From the same authority, we learn that the Malayalam has never been cultivated as an independent literary language.

The Mahratta language, which is largely interspersed with Sanscrit words, according to Mr. Wilson, derives its literature, though not exclusively, from that source. "The list of books comprizes, amidst the translations from Sanscrit, some from Hindi, and the local tracts or *bakhirs* are rather inaccurately designated, as they comprehend both translations from Sanscrit and original compositions, the latter of a biographical and historical character, and of some value as national records of the important events in which the Mahrattas have borne a part since their rise to political power." The only purely historical work which we can find amongst the Mahratta books in this collection, is the *Srimantolkersha*, described as an account of the Hindu and Mohammedan kings of Delhi, from Yudhishtira to Aurungzeb, the foundation

of the Mahratta state by Sevaji, his exploits and those of Samba, and the actions of Bajirao and his descendants to Mádhava Ráo, under whose patronage the work was compiled.

The Uriya or Orissa books are principally love tales, local records, and hymns, anecdotes and treatises relating to the mystical worship of Krishna. "It does not seem probable," observes Mr. Wilson, "that the Uriya has even yet received elementary cultivation, or that it possesses a grammar; from the works found in the collection, however, it appears to have been cultivated, although not in any important department of literature."

There are but few books in the Hindi dialects contained in the *Catalogue*; they consist of theological and genealogical treatises, histories, romances, and translations. The theological works discover a great variety of sectarian divisions amongst the Hindus of Upper Hindustan, with whom these works appear to have been popular; they include two or three works current amongst the Jains of Upper India, one of which, the *Kalpa Sûtra*, giving an account of the birth and actions of Mahávira, the last Tirthankara, and of the other Tirthankaras, their descendants and pupils, is in Prakrit. Notwithstanding the few specimens in this collection, the Hindi dialects, observes Mr. Wilson, have a literature of their own of great interest, particularly in the Rajput states; there are also some interesting specimens of Hindi writing in the works of Kesava Dás, which connect the foreign with the indigenous literature, having shortly preceded the earliest Hindustani compositions.

Mr. Wilson has inserted some ingenious reflections upon all the languages and dialects to which the books in this collection belong. We subjoin his remarks upon the Hindi:

The division entitled Hindi books comprises a variety of dialects, but all, with one or two exceptions, modifications of a common language, that of the Hindus of Central India, to which the term Hindi may be, therefore, legitimately applied. It seems to be a question yet undecided, how far Hindi and Hindustani are distinct forms of speech, and before this can be determined, what constitutes a distinct form of speech must be agreed upon: the elements of both tongues are unquestionably the same, and the inflexions in Hindi, even in the Brij Bhakha variety, differ in no important respect from those of Urdu. They are nevertheless mutually unintelligible, and are so far different languages; the Hindi retaining its own or Sanscrit words, the Hindustani in every possible case substituting for them words of Persian and Arabic origin. Although, therefore, the frame-work is nearly unchanged, it is filled up in a wholly various manner, and for all the ordinary purposes of speech the dialects are distinct, whatever may be their original identity. The Hindi again varies probably in every hundred square miles, and the language of Agra and Ajmer may present wide discrepancies. The differences are, however, in words, rather than in inflexions, and they are only dialects of a language radically the same; or, perhaps it may be granted, individual members of one common family. They are all most copiously intermixed with Sanscrit, and although they may claim a base separate from the superstructure, the former is of the scantiest possible dimensions, and is completely overshadowed by the latter.

The Arabian and Persian books, 114 in number, include histories of the Mohammedan principalities of the South. The Urdú books are few and of no great value. The Javanese and Burman works are not fully described in the *Catalogue*, the books having been sent to England: the latter are only four in number, a Baudhdha theological work, a dictionary, a version of the institutes of Menu, and a medical work.

After giving the description and character of the works contained in this collection, Mr. Wilson devotes two very interesting disquisitions to the subjects

jects of religion and history, with respect to the degree of illustration they may be expected to receive from the materials acquired by Col. Mackenzie.

These materials do not afford the means of tracing the Hindu faith, with precision, in the south of India, beyond the tenth century. The brief and irregular traditions, previous to that date, however, Mr. Wilson remarks, lead to a general notion of the introduction of Brahmanism, as a foreign faith, into the Dekhin from the north. Although the prior creed of the natives of the peninsula does not appear, all the records and traditions recognize, in every part of it, a period when they were not Hindus. The extreme south, or Drávira (where the Tamul is now spoken), strange as it may appear, is represented by the oldest traditions as the first colonized and civilized by a Hindu race; "thus, indeed, furnishing a clue to the real purport of the *Rámáyana*." He supposes that the civilization of the south of India may have taken place about ten centuries before Christ: "at any rate, the whole body of peninsular tradition is adverse to the admission of high antiquity, and still more so to the ill-considered theories which have connected the south of India with Egypt in antiquity, civilization, and religion."

The introduction of the Hindu religion into Malayalam appears, according to the same authorities, to have been nearly coeval with its establishment in Drávira; proceeding northwards, the traces of the early condition of the religious faith of the people are less distinct, though they still indicate the comparatively recent origin of the existing creed. "It can scarcely be doubted, however, that the Hindu faith existed on the Coromandel coast in the days of Ptolemy, as we have in his tables a number of names of places evidently of Sanscrit origin, by their terminating in *pura* and *nagara*, the synonyms of a city." On the opposite coast, in Tuluva and the Concan, there is every reason to believe that the Hindu faith was introduced scarcely earlier than the Christian era; the evidence is derived from local traditions, supported by the Greek geographers.

The worship of Siva seems to have been the prevalent branch of the Hindu faith, on its establishment in the south. In Telingana, the first princes are reported to have been Vaishnavas, but this is the only division in which that faith predominated. After the appearance of Sankara Achárya, the reformer of Hinduism, sundry sectaries sprung up, and the dissemination of their doctrines seems to have produced, at different periods, disturbances and political convulsions, especially the propagation of the Lingawants, a new form of Saivism, now extensively diffused throughout the Dekhin.

After so much has been said of the violent persecution of the Bauddhas in the south of India, and their extermination by the most cruel tortures, it is somewhat extraordinary that so few traces of their existence at all should be found in the collection. There is no book, no record whatever, purporting to be the work of a Bauddha. A few incidental notices occur in different memoirs, but they are brief and unsatisfactory, and are not unfrequently of erroneous application, the Jains being intended, although the Bauddhas are mentioned. That there were Bauddhas at one time in the south of India cannot be questioned. Imperfect as the traditions are, they indicate their presence, and architectural remains near Trivatore and at Amaravati, as well as the Bauddha caverns at Ellora, Karli, and on Salsette, substantiate the fact. It is impossible, however, to avoid concluding, from all the evidence that is procurable, that they existed at no very modern date in small numbers, and for a brief period; that they enjoyed little popularity or patronage, and that they never were the objects of a general or sanguinary persecution. That they were exposed to unjust and vexatious treatment in some places, and consequently withdrew from them, possibly beyond sea, is little doubtful, and it is equally certain that their enemies were not only not the Brahmins alone, but  
that

that their expulsion was fully as attributable to the growing power and intolerant preponderance of the kindred schism of the Jains.

The substance of most of the works in the collection relating to the Jains has been already published by Colonel Mackenzie. Mr. Wilson thinks that, from all the evidence respecting this sect, it could not have been introduced into the peninsula earlier than the seventh century after Christ; its course south was stopped at an early period; but it extended itself through the centre and in the west of the Peninsula, and enjoyed some consideration in the tenth and eleventh centuries, till a joint attack of the Saivas and Vaishnavas, in the twelfth century, gave a final check to its career.

Although the remarkable occurrence of the conversion of the raja of Kerala to the Mohammedan religion is mentioned in the *Kerala Utpatti*, one of the consequences of that event, the origin of the Mopillas of the Malabar coast, is not described in that or any other document in the collection. Neither is there any reference to the native Christians of the Peninsula; an omission which Mr. Wilson justly ascribes to the character of Colonel Mackenzie's agents, who, as Hindus, were not likely to interest themselves in such an inquiry.

The collection furnishes no addition to our previous information regarding the cavern temples of the Peninsula. Mr. Wilson considers the fact as nearly established, that these excavations, which are in general Saiva and Bauddha, are comparatively recent, or that none of them bear a high antiquity. "There is nothing," he adds, "in their construction which Hindu architects of the present day would not be as well qualified as ever to accomplish." The sculptured rocks are equally destitute of pretensions to antiquity, as well as many of the great temples of Southern India, which, though genuine Hindu monuments, and probably of the same style of architecture as when first erected, are modern constructions, in spite of the testimony of the local *Purānas*, which are impudent fabrications.

The introductory disquisition on history is of very considerable length; we must therefore run through it more superficially than we have done the preceding.

The author premises that the Pandyan, the Chola, and the Chera principalities, on the western coast, were formed by settlers who established themselves at the extremity of the Peninsula subsequent to the invasion of Rāma, whilst Kerala was civilized by Parasurāma, and formed into a kingdom about the commencement of the Christian era; that a branch of the Chola family reduced Tonda, in the Carnatic, to a regular form of government, whilst, farther north, Andhra formed the chief state on the east, and Tuluva on the west; that the rise of particular families led to the political divisions of the Dekhin; and the Yādava, Belāla, Ganapati, Gajapati, and Vijayanagar princes, with the Mahratta chiefs and Nāyaks of Madura, took the place of the ancient kingdoms. Of all these states and families Mr. Wilson gives a distinct account, derived from the authorities in the collection.

The date of the Pandyan state, or Madura, is referred by him to the third or fourth century before Christianity, chiefly on the authority of the *Hālasya Māhātmya* of the *Skanda Purāna*, which records the sports and miracles of Sundareshwara, the form of Siva worshipped at Madurai, and is founded upon records preserved in the temple and college. "Few of the materials for a history of the states of the Dekhin," Mr. Wilson observes, "found in the Mackenzie collection, are so complete and regular as that of Madura." The Pandyan kingdom began to decline from the ninth or tenth century, owing to the power

power of the Chola sovereigns on one side and the Belála princes on the other, until the sovereignty devolved, in the middle of the sixteenth, on the Náyaks of Madura, the final downfall of whom, in the eighteenth century, may be considered as one of the indirect causes of British ascendancy in India.

The Chola history is much less regular and consistent than the Pandyan, and the traditions are as perplexing and contradictory as they are abundant. Mr. Wilson refers the confusion to two sources : first, the use of an epithet as a proper name and its application to different individuals; secondly, the employment of the term Chola in too wide a sense, and its assumption by rulers of districts far removed from the original Chola country. The Chola kingdom merged by marriage in the Pandyan, and continued so for 570 years, according to tradition. Of the date when Kulottunga, the first of the series of kings who succeeded, flourished, there are many conflicting statements; Mr. Wilson thinks the weight of testimony places the real Kulottunga Chola about the end of the ninth and beginning of the tenth century. Amongst the manuscripts in the collection is a treatise on the ancient history of the Chola kings, entitled *Choladesa Purvika Cheritra*, written in answer to Colonel Mackenzie's inquiries, by a native Christian in his employ, wherein the writer, with considerable candour as well as critical acumen, refutes the pretended claim of the Cholas to a high antiquity. He infers, with much reason, the comparatively modern date of the Chola princes, from the perfect state of the buildings ascribed to them, and the freshness of the traditions relating to the family current in all parts of the Peninsula.

The Chera kingdom, or, as it is also called, Kanga, which is always enumerated by original authorities with the Pandyan and Chola states, Mr. Wilson considers to have been an independent principality at the commencement of the Christian era; though of its history, either before or since, there is little satisfactory account till periods comparatively modern. It was occupied by a Chola prince A.D. 894, and was subsequently partitioned amongst the principalities of Karnáta, Madura, or Tanjore.

The remaining sections relate to the several divisions of Kerala, Kadamba, north of the Krishna, the states of the Belála, the Yádava, the Chálakya and Andhra kings, Kondavir, Nellore, and Vijayanagar; the details relating to most of these states, though plentiful, are unsatisfactory. Mr. Wilson has, with patient industry, connected the facts where they are susceptible of union, and has thereby given to the histories some semblance of consistency.

He concludes his introduction with an intimation that we may probably be favoured, at a future time, with some illustrations of the manners and institutions of the various tribes of the Dekhin, which, he says, are fully delineated in the documents, as well as an ampler account of the political revolutions of the Peninsula.

## SKETCHES OF BURMAH,

BY A SUBALTERN.

[*Concluded from p. 42.*]

ANOTHER diversion to which the Burmese are extremely partial, but which, nevertheless, they indulge in only at the setting-in of the new year (in October), is the buffalo-fights, which are exhibited very nearly on the same spot which was noticed as having been graced with the splendid obsequies of the rhaahan. From the savage and ferocious disposition of the buffalo, I anticipated an animated and sanguinary contest; but never were expectations, wrought up to so high a pitch, so woefully disappointed. The method of managing the sport is this:—Two Burmans, each mounted astride on the bare necks of their respective buffaloes, goad them at a clumsy hand-gallop across the plain from the opposite sides; meeting about the centre of the lists, the animals endeavour by opposing their foreheads to each other to bear their antagonists backwards, and eventually to cause them to quit the field. As, after their first coming in contact, they seldom vary their position, it is evident that this mere exertion of brute strength, unaccompanied by even an approach to skilful manœuvring, possesses no superiority of excitement, beyond the difference of size, over a like contest between a couple of pugnacious rams. It did, however, so chance that the monotony of the day's diversion was disturbed by an unlooked-for and harrowing incident. Late in the afternoon, when four or five pair of combatants were engaged, one of the men was so unfortunate as to lose his seat, and fall from the neck of his buffalo to the ground. The enraged brute instantly gored him as he lay, driving one of his tremendous horns through his intestines and lungs; from this appalling situation the poor fellow was rescued by his comrades before the buffalo could repeat the thrust, and was conveyed with all speed to the artillery hospital. He presented altogether a most shocking spectacle: independent of the protrusion of his bowels through the wound, his body presented a most extraordinary appearance. From the direction in which the horn had entered the lungs, the air escaped between the cutis and cuticle, owing to which, the latter was inflated to such an extent that the man seemed more like a distended bladder than a human being. Upon placing the finger upon any part of his body a crackling sound was emitted, whilst every inspiration was attended with a noise resembling that which proceeds from a broken-winded pair of bellows. The man lingered for some hours in exquisite agony, being swollen previous to dissolution to more than twice his natural size.

Notwithstanding that these distressing accidents are very rare, the British Government humanely resolved that in future there should be no occasion for such occurrences; and the buffalo-fights should be suppressed by proclamation. I quitted Tavoy before the periodical return of the festival, and therefore am not aware whether the measure was carried into execution.

The ferocity of these animals renders it expedient to be vigilant if your road lead near a herd of them; and the formidable length of their horns, which measure in many cases about two feet and a half from the root to the tip, considerably enhances their savage appearance. One afternoon, as I was returning from Siam Hill to the Fort, I perceived a buffalo standing about midway on the raised road already mentioned as connecting the wooden bridge with the champagne country beyond the marsh. As it was evidently his intention to dispute my passage, I hesitated at first whether I should encounter

him; but, relying on the fleetness and *manège* of my pony, I pushed up to him in a brisk trot, with the expectation of causing him to turn: as, however, he resolutely retained his position, and the pathway was too narrow to admit of my making a circuit, I was compelled to ride against him, and, at the moment of coming in contact with him, I put my pony into full gallop: it was fortunate that I did so, for the buffalo made a push at me, but, owing to the rapidity with which I passed him, he only grazed my little nag's flank. My adversary pursued me half way across the bridge.

The most favourite diversion of the lower orders consists in playing at football, but both the ball and the method of following the game are entirely different from ours. The former is made of four bamboo laths, which cross and unite at their centres; the ends are then bent up and neatly interwoven with each other into a globular form. Half a dozen or more of the peasantry collect together in the streets, and the ball is kicked up to a considerable height; the whole party endeavour to prevent its touching the ground; arms, knees, toes, and heels, are all exerted in keeping it up. The address with which a practised player will, when the ball goes behind him, strike it up with a smart blow of the heel, several feet perpendicularly over his head, is astonishing. When the British officers first saw this new method of playing football, they were so delighted with it that it superseded cricket, quoits, &c. Two or three groupes might be seen on the grass, busily engaged in this exercise, with their boots and shoes thrown off, in order to give greater play to the ancle.

Boxing is likewise practised by the Burmese; and although in this exercise, as well as in that of wrestling, they exhibit great deficiency of science, their prowess is far from contemptible, when compared with that of the slender and effeminate inhabitants of Hindostan. Indeed, during our occupation of Rangoon, a Burman, whom a private soldier of one of H.M.'s regiments struck in a dispute, immediately returned the blow, and fought so manfully that the European, after having been felled three times to the ground by his antagonist in fair fighting, was rescued by his comrades from farther punishment. On the day on which the obsequies of the rhaahan were performed, there were two or three booths pitched close to the road along which the procession passed, and in one of these boxing matches took place in the presence of the ex-Rajah of Tavoy, and the man who drew first blood was declared the victor: he was rewarded with a new cloth and some pieces of money, and the defeated party likewise received a small remuneration. A couple of sturdy-looking youths, however, made such a bad display, that upon presenting themselves before the Rajah, he humorously rewarded them with a pice (about a halfpenny) each.

Of their determination and boldness I may be pardoned for adducing two instances. A reconnoitring party, sent out by Sir Archibald Campbell from the Great Pagoda on the 1st December 1824, had not proceeded far into the dense jungle which closely surrounded it, before the myriads of shot of all sizes which flew amongst them convinced the commanding officer that the whole of the Bundoolah's army, 60,000 men, was secreted in the recesses of the forest. The party, consisting of only fifty Europeans and the like number of natives, immediately commenced its retreat, fighting back to back. Suddenly a Burman sprang out of the jungle, and aimed a blow with his *dhar*, or short sword, at the captain commanding the party. A private, perceiving the imminent danger of his officer, fired instantly from his hip, and the ball passing through the body of the Burman, caused him to spin round before the sword descended: on regaining his position, the expiring wretch endeavoured to repeat the blow, but the officer running his sword through him, at once terminated

terminated the contest, and the gallant little party regained the pagoda with the loss of only seven killed and wounded, the thickness of the jungle having intercepted a mass of shot.

The other instance occurred about the same time. Behind two ruined pagodas, within half-musket shot of the Great Pagoda, a single Burman took his stand, stepping out, firing with murderous accuracy, and reloading behind them. Whenever Sir A. Campbell (or the *cocktailed* general, as the Burmese designated him, on account of his plume of feathers) made his appearance on the ramparts, this man started out from his retreat and performed the war-dance, at the same time slapping a certain part of his person, and making use of most significant gestures. The man's cool and provoking impertinence amidst a shower of shot caused the men to redouble their exertions to hit him, and at last, after having afforded them no little amusement for some days, poor Jack Burmah received a ball which effectually concluded his war-dance.

With regard to their habits, the Burmese are a little, and but little, superior to the generality of the natives of India in point of cleanliness, whilst in respect to their food they are by no means so select. The inveterate habit of chewing betel will always be viewed with abhorrence by Europeans as associating with it disgusting filthiness. I was highly amused with the grievances recited by the commander and officers of the Hon. Company's ship *Ernaad*. The Burmese prisoners of war were put on board this vessel at Calcutta on the termination of hostilities, with orders from the Supreme Government that such of them as were men of high rank should dine at the cuddy table, and be treated in every respect as became their dignity. In pursuance of these instructions, about eight or nine were thus privileged. Before they had been on board an hour, quarter-deck and cuddy (it is well known how sailors pride themselves on the purity of their decks) were covered with red splashes of saliva. But even this annoyance was exceeded by another; dining at the same table with the captain and the officers, nearly every dish was entirely new to the Burmese. It was long before the former discovered that their guests were in the habit, in case any viand was not agreeable to their palate, of transferring the demi-masticated morsel from their own mouths to the plate of their neighbour. Even after this disgusting discovery, such was the adroitness of the Burmese in this practice, that the officers of the ship, finding that no vigilance could entirely guard them against the introduction of these precious *morceaux* into their plates, came to the determination of appropriating one end of the table to themselves, and not allowing any Burmese to come within *hailing distance* of them.

The Burmese possess a bold and independent carriage, particularly the Tavoyese, who are decidedly the noblest and handsomest Asiatics I have any where met with; and a Burmese with his tartan cloth thrown gracefully across his athletic shoulders, is strongly contrasted with the British sipahee, whose slender frame trembles under the weight of his arms and accoutrements. The comparison was in other respects striking: very different from what we see on the other side of the bay, parties of Burmans walk into your house with a simple "*ho tokh 'én!*"\* and seat themselves quietly on the floor. If asked, "*ballé logindé, Burmah?*"† the usual response was "*yét yūza.*"‡ Their general honesty, however, is such that they will never take any thing that is within their reach, except cigars, which they will lay their hands upon without scruple,

\* "Holloa, sir!"

† "What do you want, Burmah?"

‡ "Brandy, my lord." The Burmese are passionately fond of undiluted spirits.



ple, being infinitely more desperate smokers than even the phlegmatic Dutchman. In fact, a little Burmese urchin, as soon as he can totter, will have his cheroot in his mouth; so that the spectacle of a whole family smoking together, from the old withered beldame of sixty to her infant grandchild, is by no means unfrequent.

With such simple habits as characterize the Burmese, their wants must necessarily be few, and these are easily satisfied by means of the system of barter established among them. One man brings rice into the bazaar; another fruit; a third will gather the leaves in the jungle which are used for enfolding the areca nut; whilst a fourth is furnished with the nut itself; and each individual exchanges a portion of his superfluity for a fair return of his neighbour's commodity. The first article, flavoured with the favourite *na-pui*, is the staple food of the country, and of this dish and plantains even infants of two months old partake. The consequence of this injudicious treatment is, that a vast proportion of the children die at an early period, whilst those whose constitutions are strong enough to overcome these disadvantages, generally walk at ten months old. They are, however, much disfigured, for the first three or four years of their existence, by excessively prominent stomachs, arising from their having been subjected to this cramming process from such an early age.

The custom of sitting down immediately upon entering our presence was at first naturally regarded by us as a species of cool impertinence: but as we became more thoroughly acquainted with the people, we discovered that the attitude was symbolic of the deepest respect; it is, in fact, tantamount to declaring that they consider themselves beneath you, so that the first man of the company is in every sense the *highest* person present; and nothing is more calculated to demonstrate what slaves of caprice mankind are, than the singular circumstance that nations, remote from each other, have almost invariably directly contradictory methods of declaring their respect. The custom of the inhabitants of Indostan, of uncovering their feet instead of their head, is another corroborative proof of the assertion, that a man unacquainted with local customs may give or receive the highest affront from what was intended to be an excess of politeness.

Nothing could exceed the astonishment of the Tavoyese at the appearance of the English ladies on their first arrival. They were followed by dense crowds, exclaiming that they were certainly angels; and several laughingly pressed forward and curiously examined their dresses. Another object of surprise was a large turkey-cock belonging to an officer; but apprehension was in this case so paramount to their inquisitive propensities, that I have seen half a dozen able-bodied men take precipitately to their heels on the slightest manifestation of wrath on the part of the bird. Indeed, long after their curiosity had subsided, so great a dread did they entertain of his pugnacity, that they always prudently kept the width of the street between their own persons and the object of their fear.

The Burmese are very much given to tattooing the body and limbs; but in no class of the people is this practice carried to such an extent as it is among the Carayns, or hill-people. This singular race is as much distinguished from the remainder of the population as the highlanders of Scotland are from their lowland brethren. They possess a different tongue, and their garb is essentially distinct, being principally composed of a species of woollen frock reaching to the knees, and open in front nearly down to the waist, with loose trowsers and a turban of the same materials. The woman's dress is orna-  
mented

mented with white ovate and orbicular seeds, but their features are frightfully obscured by the process of tattooing, which is performed with such amazing minuteness, that every pore, even of the eyelids, is punctured with the instrument, and a black liquid being rubbed over the countenance, the lady thenceforth becomes a perpetually *dark beauty*.

Another disgusting operation, which both males and females of all classes undergo, is that of distending the orifice made in the lobe of the ear to such a size, that it is capable of containing a roll of gold about the thickness of a man's middle finger; but, as these massive ornaments are seldom used but upon state occasions, the *vacuum* is generally supplied with a half-smoked cigar; and indeed the aperture is always applied to this purpose by the men, who do not indulge themselves with the ear-rings mentioned above. The poorer classes of women, who cannot afford to wear the rolls of gold, pass through the ear in lieu thereof a remarkably handsome gold and green beetle, which is prepared by filling the body with moisten lead, and plucking off the legs. I have reason to conclude this to be a distinct and hitherto unknown species of the genus *Scarabeus*, as, upon my presenting the only specimen which I brought to Europe to a gentleman who has been for several years past engaged in forming a splendid collection of insects from all quarters of the globe, he acknowledged that he had not one in his cabinet which could equal the beauty and lustre of the Burman beetle.

In fact, the empire of Ava abounds with various animals hitherto undescribed by, because unknown to, the naturalist, amongst which may be enumerated a variety of the *lacerta*, or lizard tribe, distinguished by its hideous appearance and the plaintive sound which it emits principally during the night. The cry resembles the following word, "sto-ko," repeated three or four times, and immediately succeeded by half-a-dozen groans, growing gradually fainter till the termination of them. This melancholy noise may be heard on a still clear night at the distance of half a mile; and the first time that you chance to be awakened by it, hearing it issue at dead midnight from the rafters of your bedchamber, it is associated with feelings by no means pleasant.

There is, moreover, a distinct species of the genus *Psittacus*, so peculiarly indigenous to Burmah, that notwithstanding several attempts have been made to transplant these beautiful little birds to the opposite coast of Coromandel, every one has failed. These diminutive parrots are not larger than a sparrow; their plumage is green diversified with a crimson tuft on the breast, corresponding with the colour of the tail-coverts, and the interior of the wings and that of the tail are a beautifully bright blue; they are very taciturn, and so excessively restless, that during the day they are in constant motion, climbing up one side of their cage and descending by the other.

These few instances may afford a faint idea of the vast field which the Burman empire presents for the researches of the naturalist, whilst the well-known riches of the Avan herbal hold out a most tempting reward for the labours of any botanist who might feel anxious to explore the vegetable kingdom.

I will now advert to the last of our possessions on the Tenasserim coast, viz. the island of Mergui, which is the most southerly. Lying just off the mouth of the Tenasserim river, this little island possesses the advantage of having a cool sea-breeze to refresh every part of it, from whatever point of the compass the wind may blow. From its proximity to the mainland, the intervening sea is never lashed into billows by the most furious gale, and hence boating constitutes the most favourite diversion of the officers. Indeed, it

it is fortunate for them that they are able to enjoy aquatic excursions with such positive safety: for they are effectually excluded from visiting the interior of the island by the density of the jungle which completely surrounds the cantonment, and their pedestrian exercise is consequently confined to the small space of ground which has been cleared for the troops.

Mergui possesses this single advantage over our other possessions, namely, that ships of 700 tons burthen can ride along-side of the wharf; but they must wait till nearly high-water to cross the bar at the mouth of the harbour. This island used to be the grand depôt of the Taliens for cows, but in the course of the almost incessant struggles between them and the Burmese, nearly all the cattle were carried off; and even at this day there are but few of this breed, and some buffaloes, to be found on it.

In bringing these sketches to a conclusion, I will venture to predict that the day is not far distant when the haughty monarch of Ava will endeavour to wipe off the disgrace attached to his late defeat by the British. The invincible pride and unbending character of the Burmese, with many petty insults which they already begin to cast upon our countrymen, warrant me in the belief, that the mask with which they endeavour to cover their designs will be thrown aside as soon as the nation is prepared for hostilities. Yet, although aware of the rancorous feelings entertained towards us by the Burmese, and possessing a full conviction of their faithless disregard of treaties when they conceive it to be their interest to break them, the Indian Government has taken no steps to obtain more accurate intelligence of the interior of this country. It is not for me to point out the course which ought to be pursued, but it certainly would be neither difficult nor expensive to procure an individual qualified to make an accurate military survey of the country lying between the Irrawaddy and Pegu rivers, combining with it the interesting zoological and botanical information which the empire is capable of yielding.

## MAXIMS OF THE JAINS;\*

BY GAUTAMA, THE LAST JINA.

(From the *Dharmánvrita Káthá*, a Jain Work.)

### *Injunctions.*

1. To discard doubt.
2. To perform acts without expectation of advantage.
3. To administer medicine to a person of superior sanctity when ill.
4. To have a steady faith.
5. To cover or palliate another's faults.
6. To confirm the wavering faith of another.
7. To be kind to all of the same persuasion.
8. To convert others to the same belief.

### *Prohibitions.*

9. Not to injure animal life.
10. Not to lie.
11. Not to steal.
12. Not to indulge in sensual pleasures.

\* From the *Mackenzie Coll.* i. p. 137.

## SLAVERY IN INDIA.

*(Concluded from p. 31.)*

A PRACTICE discovered in 1818 by the acting superintendent of police at Madras, of kidnapping children and selling them as slaves to the wealthy Mahomedans, forms the subject of some papers in the collection. Mr. Campbell, the officer referred to, having caused to be apprehended a native woman, charged with having enticed a female child from her relations, and attempting to sell her as a slave to a Mussulman, received, in consequence, complaints from no less than eight persons in one day, of losses of children under similar circumstances. The whole of the children were females, from six to ten years of age. The inquiries he instituted in this business gave him abundant reason to believe that this crime was one of the most common at the presidency. His statement we subjoin :

His highness the Nabob of the Carnatic, the various branches of his family, and indeed the whole of the principal Mussulmans at Madras, are in the habit of purchasing female children to serve as domestic slaves in their families, and to attend their wives and concubines, who are numerous in proportion to their rank. To supply them with these children, native women of the most infamous character are in the habit of enticing to their huts children of the lower classes of the people, with offers of sweetmeats and money, and having once secured them, they are intoxicated with drugs and arrack, and taken by bye-paths to Mussulman houses, where they are sold by the women as their own children. A Mussulman name and dress is then given to them, and being considered as part of the seraglio, the jealousy in which a Mussulman's honour consists secludes them from any communication with strangers.

Mr. Campbell recommended that the nabob should be requested by the government to send every child, whom his highness or any member of his family should desire to purchase as a slave, to the police office, in order that previous inquiries might be made as to whether they had been kidnapped or not ; and that all other Mussulmans should be required by proclamation to adhere to the same rule. The Advocate-General (Sir S. Toller) conceived, however, that this proposal was in many respects objectionable, and not likely to be attended with any beneficial result ; and the Court of Directors were of opinion that, as the practice was acknowledged to be illegal, and of course punishable, it might be checked, like other crimes, by enforcing the law.

The next subject referred to is the kidnapping of children at the French settlement of Mahé in 1819. Mr. Vaughan, the magistrate of Calicut, had a complaint made to him by a Nair against a man for kidnapping the complainant's nephew, a child, who was sold to an inhabitant of Mahé. Mr. Vaughan states that this was an evil which, without check, might have a rapid growth, Mahé being a place frequented by country vessels, and notorious in former times for being a dépôt of kidnapped people of all ages and castes, who were sold as slaves, and transported to Arabia and elsewhere. A representation was made on the subject to the French authorities, who, in reply, stated that the child was almost expiring with hunger when he was purchased by the individual referred to from motives of humanity ; and that natives, both men and women, are continually presenting themselves at Mahé, offering their children for sale, whom they have no means of supporting. The excuse offered by the French chief, as to the motives which suggested the purchase, is considered by Mr. Vaughan, from his "longer and more intimate knowledge of various characters at Mahé," to be not altogether deserving of implicit confidence.

Another

Another representation from Mr. Baber, and one from Mr. Wilson, both judges of the Court of Circuit in the western division, in 1819 and 1820, bring on a further consideration of the state of slavery in the province of Malabar. With reference to two cases of the murder of slaves by their owners for trivial offences, Mr. Baber recommended that a legislative provision should declare that such individuals should not be considered as objects of sale, unless made over at the same time with the estate on which they reside; that they should never be transferred by lease or loan without their own consent; that all personal wrongs done to a slave by his master should be estimated like personal injuries in other cases; that they should be entitled, sick or well, and at all seasons, to a daily allowance of wholesome food, and be provided with suitable habitations and raiment by their masters; and that all masters, who violate either of these provisions, should forfeit their property in such slaves for ever. Mr. Wilson, the other judge, observes that "the subject is, undoubtedly, of serious moment, as involving the happiness of many human creatures, and however impolitic, as a general principle, interference with the established customs of a province may be considered, the interests of humanity dictate to an enlightened government some attempt at amelioration, if they should even find themselves precluded from dispensing in full to the subjects under their rule, those blessings which the mother country has laboured so successfully to extend throughout the civilized world." The case to which Mr. Wilson referred was that of a free-born female child sold into slavery, one of the prisoners being the mother of the child. The transaction was fully established on the trial; but it not being punishable under the Mohamedan law, the prisoners were discharged.

The Court of Foojdarry Adawlut, in reference to the case alluded to by Mr. Wilson, was of opinion that the purchase and sale of persons free-born involved an obvious infringement of inherent rights, and that it did not appear that such a traffic had the sanction of old and acknowledged usage, or that its suppression would offer violence to the prejudices of the natives. With respect to the suggestions of Mr. Baber, however, the court was of opinion, that the two first would "go to the subversion of usages established in the province of Malabar, in which the expediency of interference by the legislative authority appears to be questionable;" that the third supposed that, under the existing laws, personal injuries done to a slave by his master are not punishable, whereas the law officers of the court expressly stated that, by the Mohamedan law, if a master should chastise his slave without his having been guilty of any offence incurring *tazeer* (correction), or in the event of the slave's having committed such an offence, if the master should not correct him in a lawful manner, but treat him with violence and cruelty, the master is liable to *tazeer*: hence the court conceived that the existing law sufficiently provided for the punishment of owners who treated their slaves with cruelty. In regard to the suggestions respecting the diet, lodging, and clothing of slaves, the court was not satisfied that any necessity existed for the interposition of the law, or that the penalty named would in such cases be best calculated to attain the ends of retributive justice. A letter from the government to the court of Foojdarry Adawlut, dated July 1821, referring to this subject, contains the following paragraph:

The Governor in Council is strongly impressed with the belief, that any direct interference of the legislature, for the purpose of ameliorating the condition of slaves on the western coast, would be attended with effects the reverse of those intended. From the late inquiry, indeed, it did not appear that the condition of slaves in this country, according

according to their own sentiments and manners, stands particularly in need of improvement.

And in a letter, dated December 1825, from the Governor in Council to the Court of Directors, which had desired to know "the surest and safest means of ultimately effecting the emancipation" of the servile population of Malabar, the following passage occurs :

In Malabar a numerous class of labourers employed in agriculture have not the free disposal of their own industry, but are in a peculiar state of servitude. Their condition may, therefore, with more propriety be regarded as dependent on the treatment which they receive from their masters, and as capable of being improved by government. But the consideration of the measures proper to be taken with respect to the kinds of slavery found to exist in India, relates to a subject of great delicacy and considerable difficulty ; and we are of opinion, that it is a matter in which more good is to be expected from the gradual operation of justice and police, administered in a spirit favourable to personal liberty, than from direct interference on the part of government.

The remaining subjects referred to in the concluding papers of this volume have already been treated of in our preceding analysis : they relate to the kidnapping of children (especially for the profession of dancing-women), severe chastisements of slaves, &c. There occurs no circumstance of novelty or peculiar interest in them, and it is needless to multiply extracts upon the same topics.

We terminate, therefore, our long examination of the Madras papers with the following extracts from a very copious report of Mr. Græme on Malabar, dated in January 1822 :

In comparison with some other parts of the world, the slavery of Malabar may be considered of a mild description. The individuals are born in it, and it is a second nature to them. The habits of their lives from childhood are formed in subserviency and accommodation to it, and they feel no impatient irksomeness arising from the cherished memory of rights and comforts once enjoyed, which they have recently lost, or from a spirit of proud independence, conscious of a title to higher privileges, and indignant at an unjust exclusion from them. Their habitual dependence upon superiors, would for a time, even make them uneasy upon being thrown adrift upon their own resources. The introduction to slavery does not bring to them the horrors of being torn violently from the country of their birth, from their nearest and most endeared kindred ; of being degraded to the level of beasts, and sold like them ; of suffering the cruelties of a ship imprisonment ; of being forced to adopt new habits of life ; new kinds of food ; new modes of dress ; and a new language ; subjected to a foreign master, speaking a strange language, and frequently devoid of the least degree of sympathetic feeling towards them.

On the other hand, the condition of the predial or rustic slaves of Malabar, cannot bear a favourable comparison with that of household or domestic slaves among the Mahomedans. The latter are received with them into a fraternity, and are no longer kept at a suspicious distance. In Arabia their treatment is said to be like that of children, and they go by the appellation of sons with their masters. They often rise to the most confidential station in the family, and the external appearance of the master and slave is hardly distinguishable, they are so much upon a par.

In Canara it is not uncommon for slaves to have small pieces of land given to them by their masters for raising vegetable productions, and they sometimes have parts of rice fields, and a few coco-nut trees, particularly assigned to their use. Lands are also leased out to them. They are not either held in the same degree of disrepute with respect to caste ; their approach short of actual contact is suffered without contempt by their Soodra proprietors, and they seem in this respect to have the same privilege as a man of the Tean caste, in Malabar, has relatively to a Nair.

In Malabar, a few individual instances are mentioned of slaves holding lands in

patum or lease, and of their being responsible for the government revenue, it being entered in their names in the accounts ; but these instances are very rare exceptions to the general rule.

Upon the occasion of the condition of the slaves of Malabar being brought into notice, it was lately suggested, that slavery should be subjected to the rule of the Mahomedan law. This, if carried completely into effect, would indeed mitigate the severity of slavery, and render slaves in Malabar a very different race of mortals ; but, strictly speaking, slavery is not permitted by the Mahomedan law to be practised by any but Mussulmans, and even by them only as regards the inhabitants of countries not agreeing to become converts to Mahomedanism, and at the same time refusing to pay the tax imposed by Mahomed upon infidels, or to permit the free exercise of the Mahomedan religion. Slaves made so by stealth, and not in open war, or on an authorized occasion, are not recognized by the Koran, and the acquisition of slaves by purchase, as practised by the Mopla Mahomedans in Malabar, is equally irreconcilable to the Mahomedan law. Though it may be impossible to apply the minutiae of the Mahomedan law to the peculiar kind of slavery existing in Malabar, it is nevertheless easy to borrow from the benevolent spirit of the law, or of the actual practice among Mahomedans. Ill treatment of slaves is with them punishable by the slave being emancipated, to the loss of the master, or being sold to another master, on convictions before the quazee.

Though it may be allowed, that slavery in Malabar is not intolerable, and not exercised to an excessive degree of active cruelty, the diminutive and squalid appearance, and the wretched hovels of a race of beings on the province, who by a census taken of the population in Fusly 1216, were reckoned to amount to 94,786, sufficiently indicate, that they do not enjoy that comfortable state of existence which every person should at least have it in his power to acquire by his labour. There are no doubt many freemen in the different ranks of society who are equally indigent with the slave. The slave is scarcely ever exposed to the extremity of actual starvation, and it has been stated by respectable public authority, and I understand with correctness, that a beggar of this caste is seldom or never to be found. But among the freemen there are too many, who are too proud, from their former rank, too idle, and too dishonest from habit, to work, and they have recourse to charity and fraudulent means to gain their subsistence ; but it matters not that many worthless characters are in worse circumstances ; the question is, whether slaves are as comfortable as they ought to be, and whether they acquire as much by their own industry in servitude, as they would in a free state ? Their condition is undoubtedly improved considerably under the Company's government ; for the British law has extended its protection to them in common with all, against injury to their lives or limbs, or to any great severity of ill usage ; but British justice and humanity are not satisfied till they have accomplished, by rational means, all the good that is capable of being done. The general tranquillity which prevails through the British empire in India, seems to present a favourable opportunity for commencing the work of amelioration, and to withhold it, would be to sanction the perpetuity of slavery.

The most serious objections I have heard against any active measure in favour of the slaves of Malabar, are the violation of the rights of private property which it would involve, and the necessity to which the proprietors would be subjected of paying more for labour, employed in the cultivation of their lands, and the difficulty which slaves would have of subsisting, if left to their own resources.

It is not requisite to make such an abrupt innovation upon established rights and customs as to declare the slaves to be free forthwith, but a prospect should be opened of eventual but gradual emancipation, and proprietors should be indemnified by the payment of a maximum price, which should previously be ascertained for each district and promulgated. To set the example, government might be disposed to sanction the occasional appropriation of small sums annually to the purchase of slaves, and to accept slaves in payment of arrears of revenue, which from being too heavy, it might at all events be advisable to remit ; but in all these cases, the wishes of the individuals themselves

themselves should be consulted, and they should not be emancipated unless they feel confident of being able to earn their own livelihood without assistance. Slaves should also have the power of redeeming themselves from servitude, whenever the exertions of their own industry may place them in a state of indemnifying their masters for the loss of their rights of property over them. The magistrate should have the power of fining or emancipating for ill treatment. It need not be apprehended that these provisions would bring about an emancipation too rapidly; but the knowledge of their future operation would in the mean time act as a stimulus to the activity of the slaves, and it would insure better treatment on the part of the proprietors. Slaves thus cautiously emancipated would not be likely to leave their usual places of residence, as long as they afford the necessary means of subsistence, and that in most cases they would, there can be little doubt, for there could be nothing to diminish the demand of their old masters for their services. They would, therefore, still be living on the old estates, but more comfortably and respectably, and probably less addicted to the petty pilfering of which their masters now accuse them. A great improvement might be expected to take place in the state of cultivation in the province, for not only would the old slaves work more cheerfully, and with more effect, but many proprietors in the southern division, who from indolence leave every thing to their slaves, would be inclined to betake themselves to manual labour, when they found that they were obliged to pay higher for it in others.

Amongst the Bengal papers are contained some documents relating to the state of slaves in Pulo Penang, or Prince of Wales' Island, of which we shall now give a short summary.

This island was ceded to the East-India Company by the King of Quedah, through the agency of Capt. F. Light, in 1786. An addition of territory, consisting of the tract of sea-coast opposite to Penang, on the Malayan peninsula, extending from Qualla Kurrian to the river side of Qualla Mooda, measuring inland from the sea sixty orlongs (4,800 yards) was obtained from the King in 1800 by a treaty negotiated by Sir George Leith. Capt. Light was appointed superintendent or governor of the island, "in consideration of his knowledge of the Malay language and the high esteem in which he stood with the King of Quedah and other Malay chiefs." The first object of Capt. Light was to obtain settlers on the island: he appears to have carried only three carpenters and eight Chinese labourers from Bengal, and he hired eight Chinese from Quedah. The state of the island at this period is thus described in a letter from Capt. Kyd to the Bengal Government:

Penang as yet can be said to have no inhabitants of its own, or even any but the servants of gentlemen and the followers of the troops that are firmly established. When it was first taken possession of by this government, there were a few Malay families, who subsisted by fishing and extracting of wood-oil and dammer, and who lived near the point where the fort stands, but have removed to another part of the island. One of these people (a very old man) gives an account of there having been, about thirty years ago, a great many inhabitants on the island (not less than three thousand), and that at one place it was well cultivated, which is evinced by the number of burying-places that are yet to be seen on a part of the island, which comprehends at least a space of three square miles, and which, from the clearness of wood, and from many fruit trees that are to be seen, and above all, from the appearance of inclosures and furrows, gives a convincing proof that the whole of that space has been recently in cultivation. These people having given themselves up to plunder and piracy, which disturbed the commerce of Queda, the king fitted out an armament, and expelled them from the island. It has always, however, been the occasional resort for piratical Malays, of whom there are a great many in the Straits of Malacca. The little of the woods that are cleared, and all the works about the point, have been done by the lascars of the detachment, and by Malays, who come from the continent for the sake of high wages, and return again when their labour is no more wanted, or when they are no longer inclined



inclined to work ; for there is no gain will induce a Malay to constant and unremitting industry ; but in clearing the woods they are particularly expert, and whatever class of men it might be eligible to fix on the island as the cultivators and permanent settlers, the temporary services of the Malays will probably always be necessary in cutting down trees and clearing the woods.

In order to provide labourers for the new settlement, the Bengal Government directed that 150 Caffres, "volunteers if possible," should be sent thither from Bencoolen ; and thus was set an example of the introduction of compulsory labourers in Penang. It would appear that all the Caffres sent from Bencoolen, in number 126, were slaves ; many of them were so old as to be unfit for service ; and the Supreme Government expressed an opinion that "the gentlemen at the residency of Bencoolen had rather consulted their own convenience, in getting rid of a useless incumbrance, than a wish to promote the prosperity of Penang."

The settlers, however, increased fast, by the influx of emigrants from Quedah and elsewhere ; the superintendent writes, in September 1786, that these emigrants were upwards of 100, and that the King of Quedah was so much alarmed at the extent of the emigration, that he imposed a duty of 100 dollars upon every family leaving the place. Amongst the settlers at Penang were two Malays of Arabian extraction, named Seyud Hossein and Seyud Jaffer, possessed of considerable property and with very large families. They required, as the condition of their residing there, a license to govern their own families, slaves, and dependants with an independent power, and in all cases to be judged by the Mohamedan laws. These two persons are described by Capt. Light as so much respected by the Malay princes (being descendants of the Prophet), that their persons are held too sacred for punishment ; they traded duty free, and "for the life of a slave they would think themselves degraded to give an answer." The condition they required was not granted to the extent they wished ; but it would appear that these individuals became settlers, and, as well as others, imported slaves, and the institutions of slavery, limited and unlimited, into Penang.

This subject was brought before the Supreme Government in 1802 by Mr. Dickens, the judge and magistrate of the settlement, in consequence of the question coming judicially before him, whether civil slavery were to be considered as established at Penang. Mr. Dickens was of opinion that slavery rested only on usage in the island, not being established by any regulation or order of Government ; he was therefore adverse to its recognition. The superintendent, however, restored the slave in dispute to the claimant, whereby slavery became regularly recognized. It had, in fact, been recognized at a period coeval with our possession of the island ; for in an official letter from Capt. Light, dated October 1787, it is stated : "a register is kept of all slaves bought and sold here."

In 1805, the number of slaves amounted to from 1,200 to 1,400. On the 14th April of this year, the Court of Directors wrote to the governor of the island : "we cannot authorize any encouragement being given to the introduction of slaves into the island ; we could wish that the clearing of the lands and the cultivation of the pepper and spices should, as we understand they may, be carried on by free people." The supply being daily increasing, at a subsequent part of this year, the number of slaves is stated to have reached 5,000 ; and in September, the Governor-general of India intimated to the Government of Penang, that it was desirable that the system of slavery should if possible, be prohibited at the settlement.

Accordingly,

Accordingly, plans for the abolition of slavery were proposed by Governors Farquhar, Phillips, and Macalister, in 1805, 1807, and 1808; but upon full investigation, it was found that the absolute emancipation of slaves was inconsistent with the habits of the native settlers, and in short impracticable, especially with reference to slave-debtors, or persons who mortgage their labour for a loan of money. The local government, therefore, with the approbation of the Court of Directors, limited their measures to the future: regulations were passed prohibiting the importation of slaves, and guarding the practice of debtor-service against being made a cover for the perpetuation of slavery under a different appellation.

## SUTTEES.

*To the Editor of the Asiatic Journal.*

SIR: Some years ago I carried on a controversy in your journal, on a subject of deep interest to the cause of humanity,—the cremation of Hindoo widows on the funeral pyre of their deceased husbands. I gave a condensed view of the principal laws laid down by the leading Hindoo legislators, on this cruel and atrocious custom; shewing, from their works, that it is rather *recommended*, than absolutely *enjoined* as a practice of indispensable obligation. The spirit, but not the letter, of these laws implies approbation of the act, when the unfortunate female is persuaded that she is not qualified to lead such a life of continence and virtue as the moral code requires. Though the law ordains, that a widow declining to burn shall be received and well treated by her relations, she is well aware that a disappointment of self-interested views promises but little happiness, and this inclines the balance to the side of superstition and false glory. The Hindoo law, if executed in its *letter*, could not contemplate that many sacrifices of this horrific description would take place, and that great art and excitement must be practised by interested relatives to work on the feelings of the wretched victim. What says the law? “The widow shall mount the raging pyre.” All ligatures and constraint are expressly forbid. Covering the woman with inflammable materials, and a heavy frame, and retaining her in the fire, by means of bamboos or poles, are practices unauthorized by the laws. The English resident uses every possible argument of reason to divert the miserable widow from her fatal purpose; and this sometimes, though rarely, with success. Let it be supposed that she is resolute in her intention to burn. As any arbitrary mandate to offend against the written law of the country would not only be attended with future serious consequences to stability of power, but be the very means of increasing the evil, according to experience of human nature; a more rational procedure being strictly legal cannot but be ultimately successful. The infatuated Hindoo widow, appearing determined on self-destruction, is to be informed, in the presence of the attending brahmins and of her relations, that the law positively prescribes, that of her own free will and accord, unattended, and unaided, she “is to mount the raging pyre;” that is, the pyre burning fiercely, and not a little lighted merely at a distant corner, in order to comply, *seemingly*, with the law, and to afford time to prevent the possibility of escape, by tying the victim to the dead body of the husband. When all this is *thoroughly understood*, I can only repeat my former opinion, that, judging of human nature as we see it, not ten in a thousand will face death in so tremendous a form. Thus, in perfect accordance with the laws of the country, a custom of the most appalling nature will sink into desuetude, and the law itself, *executed in its rigour* in but *few* instances, will be the salvation of Hindoo widows. I conclude by recommending, that those who decline “the raging pyre” shall have their property secured to them, with a due attention to their future good usage.—Yours,

JOHN MACDONALD.

*Summerlands, Exeter, Jan. 5, 1829.*

## NATIVES OF INDIA BROUGHT TO EUROPE.

*To the Editor of the Asiatic Journal.*

SIR : Permit me, through the medium of your journal, to call the public attention to a serious evil, arising from the indiscriminate application of a very judicious and praiseworthy regulation of the Hon. Court of Directors.

It is well known that several instances are on record of individuals in the service of the East-India Company having at different periods brought natives of India to Europe in the capacity of domestics, and then disgracefully abandoned them to all the miseries of starvation, or, at the best, to a precarious subsistence in the crowded streets of the metropolis. Some of these deserted creatures were forwarded to their native shores at the expense of the East-India Company, who, in order to prevent the recurrence of this inequitable tax upon them, enacted that in future every officer, civil or military, and every description of person, who might return to Europe provided with a native servant, should lodge the sum of one thousand rupees in the government treasury previous to his quitting India. In the event of his neglecting to provide his servant with a passage to his native country this deposit is forfeited, and applied to that end; but, if he fulfil his engagement, is repaid him on his return to India at the expiration of his furlough.

Now, Sir, although I unhesitatingly acknowledge that both the East-India Company and the native servants should possess a sufficient security against these malpractices of individuals, I nevertheless trust that I shall be able to shew, not only that this regulation frequently presses with needless severity on those who are perfectly honourable in their principles, but moreover that it is susceptible of a modification which, without intrrenching on the security at present possessed by the Hon. Court of Directors, will relieve their servants from the imposition of a serious tax. \*

Let us suppose the frequent case of a subaltern officer with a wife and, say two, children, being compelled by ill-health to quit India *pro tempore*; this officer has withal been utterly unable to make provision for this "untoward event." This officer would draw Rs. 1,500 from the government as passage money, and nearly Rs. 800 from the fund (if on the Madras establishment) as equipment, making a total of about Rs. 2,300. I certainly do not over-rate the matter when I state that he could not possibly procure a passage for himself and family under Rs. 3,500; his equipment would be fully 2,500 more, and the premium to a native attendant is Rs. 700, making a total of Rs. 6,700, being Rs. 4,400 above his receipts, which sum must consequently be defrayed by the sick subaltern "*as he can.*" No one will deny that, with a wife and family, a female servant is absolutely necessary on board ship, especially if the youngest child be in arms, and this unfortunate officer, whose honourable principles would shrink from the idea of abandoning the attendant of his infants to all the horrors of houseless famine in an uncongenial clime, is compelled, even with the means tantalizingly placed within his reach, to forego the hope of protracting his existence because he is actually unable to make the requisite deposit as a security for that honour which he would rather cease to exist than forfeit.

Let it not be advanced, in opposition to this, either that the officer so situated must leave his family, or that he might procure an European servant to proceed with him. There is nothing that tends more to soothe the languishments of a sick couch than the delicate ministrings of devoted female affection ;

affection ; and, on the other hand, the most accelerating cause of progressive disease would be found in those harassing mental solitudes for the welfare of his "absent all" that would inevitably haunt the wasted spirits of the sufferer, if seas rolled between the parties. But, in addition to this, a subaltern's English pay would be totally unable to support his family in India, even without the formidable deduction which must be made from it towards his separate maintenance ; and, with regard to the other objection, it is very seldom that an opportunity of procuring an English servant occurs in India.

The modification that I would venture to propose, is this :—As officers returning *on furlough* to Europe are generally possessed of a little addition to their regulated stipend, let the regulation, as far as regards *them*, remain in full force ; but, in such cases as I have instanced, let the applying officer make oath that one servant, or more, is indispensably necessary, and that he does not, *bonâ-fide*, possess the means of making the required deposit ; let him further bind himself, by oath, to provide a return passage for such natives as he might take along with him. If joined in this bond by two collateral securities, and compelled every half-year previous to drawing his arrears of pay at the India House to produce either a certificate sworn before a magistrate, stating that the servants are still residing with him, or one from the commander of an East-India vessel, declaring that he has received them on board for the genuine purpose of conveying them to their native shores, the Hon. East-India Company would be as effectually protected from baseness on the part of individuals, as they are at present by this oppressive, though equitable regulation.

Trusting that the importance of the subject will secure the insertion of these remarks, and that they may be favourably received by those in power, if they should chance to fall beneath their notice,

I remain Sir, &c.

Bideford, Jan. 2d, 1829.

A MADRAS SUBALTERN.

## LINES

FROM THE ANWARI SOHEILI.

(*Freely translated.*)

EACH atom in the earth, and each atom in the sky,  
 'To their kindred atoms ever with fond affection fly.  
 Like habits look to like, in morals as in food :  
 The wicked court the wicked ; men of virtue love the good ;  
 The pure of heart and mind none but the purest wine can please,  
 Whilst wretches of base soul will be contented with the lees.  
 So men of sense to men of sense with true attraction run,  
 And one fop draws unto him all the fops beneath the sun.

Dec. 6.

II.

## HISTORY OF MAHOMET.

*(Continued from p. 18.)*

MAHOMET, being thus freed from his enemies, became the most powerful prince in Arabia. The Meccans were henceforward too weak to molest him; and his prophetic character gave him a double ascendancy. Fearing no serious attack, he indulged more exalted views. Treason and assassination were less frequently resorted to; but, at the same time, his other passions began to acquire a mastery over him. He was at this period fifty-eight years old; he had many wives, and added daily to their number; yet his appetite for sensual indulgence was insatiable.

Mahomet had in his service a slave named Zaid, of whom he was extremely fond, and to whom he had given his liberty;\* he had even adopted him as his son. Zaid was married to a woman of great beauty, named Zeynab. Upon the return of the expedition against the Koraydite Jews, Mahomet, having accidentally beheld Zeynab negligently attired, was struck with her charms, and could not help saying: "Truly, God turneth hearts as he willeth." The meaning of these expressions did not escape Zeynab, who communicated them to her husband. The latter, in order to gratify the prophet, repudiated his wife. But it had hitherto been the custom in Arabia to consider marriages between individuals and the wives of their freedmen, or of their adopted sons, as incestuous and as abominations. Mahomet consequently felt some scruple; but at length, unable to control his passions, he married Zeynab, and in order to prevent scandal, published the following revelation, which he pretended was brought him by the angel Gabriel: "The command of God must be fulfilled; the prophet hath not sinned in doing that which God ordained; he hath only followed the example of those who have preceded him."† The nuptials were celebrated with unprecedented splendour.

At the beginning of the 6th year of the Hegira (A.D. 627-628), Mahomet made some incursions upon the provinces adjoining Medina. His soldiers traversed North Arabia, appearing almost at the same time upon the shores of the Red Sea, near the coasts of the Persian Gulf, and as far as the environs of the Dead Sea. By these expeditions Mahomet enriched his coffers with plunder, and kept his warriors in exercise. He at length set about the accomplishment of a project which he had long meditated, namely, the subjection of Mecca, his native place. His heart was still sore at the recollection of the insults he had received there, and he was impatient to re-appear upon that scene with the lustre of his newly acquired power. Apprehensive of alienating the minds of the Arabians, who cherished a profound respect for this ancient sanctuary, he sought to clothe his enterprize with a religious character. He publicly declared his sorrow at being denied, for many years, in common with his companions, the privilege of performing the holy rites of pilgrimage: "Mecca," said he to his people, "is entitled to the respect of the human race; the Caaba has been sanctified by the presence of Abraham and Ishmael; it is the duty of Musulmans to go thither and render homage to the everlasting." At the same time, he ordered them to make preparations, assuring them, by way of encouragement, that he had seen in a vision Musulmans tranquilly performing this pious office.

His disciples obeyed the summons with the utmost ardour, especially those who,

\* Zaid acquired his freedom by becoming Musulman; hence every slave who embraces Islamism, after his example, recovers his liberty.

† *Alcoran* sur, xxxiii, v. 36.

who, like Mahomet, were of Mecca, and, having been expelled thence by force, were eager to return thither in triumph. Fourteen hundred warriors armed with sabre and lance, began their march, preceded by seventy camels, designed for the sacrifice of the pilgrimage, and decorated with festoons and garlands. A multitude of nomade Arabs followed confusedly in their train. But when the Musulmans approached Mecca they found every entrance closed. The idolaters occupied the heights and defiles, threatening to proceed to the last extremities. Mahomet, who was desirous of entering the place without bloodshed, was obliged to agree to an arrangement, by which it was stipulated that the prophet should not enter the city this year, but might return the ensuing year; and that all Musulmans should have liberty to visit the Caaba, provided they came unarmed. This treaty gave great umbrage to the prophet's companions, who, relying on the vision, had deemed themselves already in Mecca; they at first refused to retire, and Mahomet was compelled to make a demonstration of departing alone.

This arrangement, however, was of no little service to Mahomet. Although he was excluded from Mecca this year, he was certain of entering it the next, and he avoided the risk which he would have incurred by using violence. Moreover, some of the conditions of the treaty, which seemed to have been intended to prejudice him, turned out to his advantage. It had been agreed that if any Meccans who had quitted the city to embrace Islamism wished to return to their native place, they should be allowed to do so; on the other hand it was stipulated, that if any Meccan presumed thenceforth to leave the city in order to become Musulman, Mahomet should not only not receive him, but should deliver him up as a fugitive. Scarce a single Meccan who had followed Mahomet returned to Mecca; but hardly had the treaty been signed before upwards of 300 idolaters, including many women, left the city and came over to the prophet. Mahomet, it is true, conformably to his pledge, refused to receive them; but the fugitives having commenced the plunder of the suburbs of Mecca, and committed a variety of enormities, the magistrates themselves were constrained, as a measure of prudence, to entreat Mahomet to take them away with him.\*

On his return to Medina, Mahomet thought he might now treat with the most exalted potentates upon a footing of equality. Even this step he sanctified, as it were, with a religious character; he avowed his motive to be a desire to invite kings and other dignitaries to embrace his creed. It was on this occasion that, in order to give more weight and authority to his applications, he first used a seal of silver, on which were these words: "Mahomet, the apostle of God."

The first sovereign he addressed was Chosroes Parvez, king of Persia, to whom he wrote a letter beginning thus: "In the name of God, clement and merciful! Mahomet, son of Abdallah, apostle of God, to Chosroes, king of Persia, greeting." The king, beginning to read the letter, was so provoked at seeing the name of a man, whom he looked upon as a slave, placed before his own, that, without proceeding further, he tore it in pieces. Mahomet, on hearing this, exclaimed: "may his kingdom be, in like manner, torn asunder!"

He next wrote to Heraclius, emperor of Constantinople. The letter commenced in a similar strain as the former; then were inserted some passages from the *Alcoran*, preceded by these words: "Peace be upon him who followeth the right way! I invite thee to embrace Islamism." Heraclius was then

\* History of Mahomet in Arabic; a MS. in the Bibliothèque du Roi.

then in his provinces, busied in the war he was engaged with Persia. He received the messenger with honour, and placed the letter upon the coverlid of his couch; but he did not comply with the invitation.

Mahomet, not discouraged, wrote to the king of Abyssinia;\* and to the governor of Egypt for the Romans. The latter was an Egyptian by birth, named Makaukes. He sent some presents to Mahomet, including two young girls of exquisite beauty, an alabaster cup, a white mule, a white ass, some honey and fine linen robes, with a sum of money. Mahomet wrote successively to the princes and lords of Arabia and the adjacent countries, amongst whom were Christians, Jews, and idolaters. Some of them became Muslims; others consented to pay tribute, and others treated his messengers with contempt.

Meanwhile, Mahomet completed the subjection of certain tribes which had hitherto maintained their independence: the most powerful was that of the Jews established at Khaibar. This was the name of a fortress built upon a lofty mountain, six days' journey from Medina, in a direction east and north. The number of the Jews who inhabited it was increased by the accession of most of their brethren, who had been expelled by Mahomet from the neighbourhood of Medina; their chief enjoyed the title of king. They hastened to make preparations for defence at the first report of the danger which threatened them, and laying waste all the low country, they shut themselves up in the fortress.

Mahomet, however, arrived more promptly than they expected him. His army amounted to 1,400 foot and 200 horse. After occupying some small forts scattered throughout the country, he directed against Khaibar all the most formidable means of annoyance which the art of war was at that period familiar with, using there, for the first time, battering rams and other machines employed in sieges. As soon as the breach was practicable, the Muslims mounted it; but the Jews, who expected no quarter, offered a fierce resistance. In vain did the prophet place himself at the head of the combatants; in vain Abou Bekr and Omar, in succession, took the standard of the army: all their efforts were repulsed.† Mahomet, unmoved, thereupon said: "tomorrow I will give the standard to a man who loves God and his prophet, and who is beloved of both; he will advance to the city and will not turn back." He spoke of Ali, his cousin and son-in-law, who then laboured under a disorder in the eyes. The following morning Mahomet sent for him, and spitting into his eyes, exclaimed: "Go; you are cured." He at the same time girded him with the terrible two-edged sword, called *dulfakar*, or "the cleaver;" and then, placing the colours in his hand, told him to march against the fortress.

Ali at first encountered no obstacle; but when he reached the ramparts, he beheld a giant approach him named Marhab, renowned for his exploits; he had a double cuirass and a double turban. As soon as he saw Ali, he said to him, "I am Marhab, armed at all points, and known by the prowess of my arm."—"And I," retorted Ali, "am he whose mother, in bringing him into the world, called *Hyder*, or 'the strong lion,' and I will take measure of thee with my sword."‡ At these words the two warriors approached each other; but Ali, more expert or more fortunate, clove his adversary's head. The Jews instantly fled; Ali and his party pursued them warmly; the whole army quickly

\* Probably some vassal of the king of Abyssinia, on the western coast of the Red Sea.

† Aboulfeda.

‡ *Ibid.*

quickly advanced, and the place was taken. It is pretended that, in the heat of the action, Ali having dropped his buckler, seized the gate of the castle, which eight men could scarcely have moved, and used it as a shield.\*

On the fall of Khaibar, the whole country submitted. Mahomet left the Jews in possession of their land, reserving to himself half the produce, stipulating that he should be at liberty to expel them whenever he thought proper, provided he gave them other land in exchange. After his death, Omar exercised this power; not tolerating any other religion in Arabia than the Musulman, he sent the Jews to cultivate lands in the neighbourhood of the Jordan.† The booty was immense: one moiety of it was set apart for the expenses of the pilgrimage which the army was shortly to make; the other was distributed amongst the soldiers.

Mahomet would have had ample reason to exult at the issue of this expedition, if it had not, in fact, originated his death. In one of the forts which fell into his hands was a sister of Marhab, named Zeynab. This woman, burning with a desire to revenge the fate of her brother, conceived the design of poisoning some mutton which she knew would be placed before the prophet. On swallowing the first mouthful, Mahomet felt indications of poison, and pushing the dish away, he exclaimed: "This sheep informs me he is poisoned!" But the venom had already penetrated to his bowels, and the effects of it were felt during the remainder of his life.

It is asserted that Mahomet, at the first transport, summoned Zeynab into his presence, and said: "Wretch! what have I done to thee that thou shouldst use me thus?" She replied in a firm tone: "Some have endeavoured to make me believe you were a prophet of God: I put poison before you, convinced that if you were really a prophet you would discover it in time; and if not, that we might be delivered from your tyranny." Authors do not agree as to the mode in which she was treated by Mahomet.

The army at length began its march for Medina. As the season of the pilgrimage had not arrived, Mahomet renewed his incursions into the adjoining provinces. In the midst of these transactions, an occurrence took place which made some noise.

It has been already mentioned that the governor of Egypt sent a present of two beautiful damsels to Mahomet; one of them, named Maria, who was a Christian, inspired him with love. He dreaded, however, the effects of jealousy in his wives, more especially as he had denounced the crime of fornication in the *Alcoran*. Passion, nevertheless, got the better of prudence; Hafsa, one of his wives, the daughter of Omar, detected the guilty pair in her house (each of the prophet's wives having a separate house built for her); and in spite of Mahomet's entreaty to keep the transaction secret, the incensed Hafsa revealed it to the other wives, and the scandal became generally known. Mahomet repudiated Hafsa, and detaching himself from the rest, kept up an intercourse with Maria alone. He, at the same time, reported that the following saying had come to him from heaven: "Wherefore, O prophet, under pretext of pleasing thy wives, dost thou abstain from what God permitteth thee? God is good and merciful."‡

Apprehensive of the resentment of his fathers-in-law, Abou Bekr and Omar, Mahomet consented to take back his wives; but in order to obviate a like

\* Aboulfeda.

† *Ibid.* Modern travellers, however, have found relics of the Jews at Khaibar, as well as in other parts of Arabia.

‡ See the *Alcoran*, sur. lxvi, v. 1, *et seq.*



like inconvenience, he reserved to himself the right of having as many women as he pleased; and he told his wives, in the *Alcoran*:\* “If you resist the prophet, know that the Lord hath declared in his favour. If he pleases, he may repudiate you, and the Lord will provide him with better wives, good Musulmans, faithful, obedient, devout and pious women, who will perform the offices of fast and pilgrimage.”

The birth of a son by Maria, filled Mahomet with an excess of delight. He gave him the name of Ibrahim; but the child dying in little more than a twelvemonth, Mahomet acquired the disgraceful nickname of *Abtar*, or “the man without a tail.”

Great preparations were made previous to the period of the pilgrimage; seventy camels were provided for sacrifice; the Musulmans who attended the prophet the preceding year, reinforced by many others, were ready to follow him again; and at length a vast multitude commenced the march to Mecca. On the approach of the Musulmans, the idolaters, in order not to witness the insult offered to their divinities, secluded themselves in their houses, or retired to the neighbouring hills. Mahomet experienced no obstacle to his entry; he was mounted upon a handsome camel, and one of his warriors, preceding him, cried out: “Make way, make way, O children of unbelievers! Behold the prophet who triumphs over you; with one blow of his club he is able to crush you.”† The Musulmans performed their devotions at the Caaba and the other holy places; the ceremonies lasted for four days, and terminated by the sacrifice of victims; at the conclusion of which, Mahomet returned to Medina.

The prophet's cause derived a mighty advantage from this expedition; the admission of Musulmans to the Caaba, so sacred in the eyes of the Arabs, induced a multitude of idolaters to join them, who had been withheld by their prejudices in favour of the holy places at Mecca. Even the peculiar guardian of the idols of the Caaba renounced idolatry and became a Musulman. Many of these proselytes, especially the Meccans, had only their personal interest in view; they perceived their countrymen were divided, and that Mahomet was gaining the ascendancy, and they were unwilling to be the last to submit to him. Amongst this number was Caled, son of Waled, and Amru, the son of Alas. Caled was reputed to be the bravest of the Arabs, and it was he who threw the Musulmans into disorder at the battle of Ohod. Amru, on the other hand, was distinguished by prudence in council. Mahomet received both with unusual honour. He told Caled that he knew long ago that a man of such talent could not fail to become, in the end, a convert to truth; to Amru, who, not content with making the ordinary profession of the faith, which consisted in using the words, *There is no other God but God, and Mahomet is the envoy of God*, requested a special absolution and remission of his sins; he replied: “Your profession of faith has effaced all.” Caled and Amru highly distinguished themselves in the sequel: the former received from Mahomet, for his exploits, the title of “sword of God,” and subsequently conquered Syria; the latter subjugated Palestine and Egypt.

Whilst he suspended, till a fit occasion, the execution of his project of rendering himself absolute master of Mecca, Mahomet employed the time in revenging some insults he had received. The principal of these expeditions was directed against the Romans.

Amongst the deputations sent by Mahomet to exalted personages, with the ostensible

\* See the *Alcoran*, sur. lxvi, v. 1, et seq.

† Arabic MSS. in the Bibliothèque du Roi.

ostensible view of inviting them to embrace his religion, one was despatched to the Roman governor of Bosra; but the envoy was murdered on the way by the inhabitants of the city of Muta, situated to the southward of the Dead Sea. Mahomet sent an army of three thousand chosen men to avenge the act; the standard of command was given to Zaid, the prophet's freedman. On his approach to Muta, Zaid learned that the Romans, in concert with certain tribes of Christian Arabs, had collected a great force; some Arab writers exaggerate the number extravagantly by representing it at 100,000. Some of the Musulmans advised a retreat, or that the army should await a reinforcement; but Abdallah, one of the subordinate commanders, exclaimed, "What risk do we incur? If we gain the victory, we acquire booty and glory: if we fall, we shall be admitted to the delights of paradise." An advance was therefore determined on, and the two armies were soon in sight of each other.

At the first collision, Zaid fell with the standard, which was immediately taken by Giafar, who assumed the command and continued the combat. Having his right hand cut off, he held the standard in his left, and losing that likewise, he held it closely pressed to his body, until he fell pierced with wounds. Abdallah next took the standard and command, and he was also killed. Caled was then named commander, and led on the troops till night put a stop to the conflict. The next day, Caled, embarrassed by the numbers of the enemy, had recourse to stratagem. He divided his force into small bodies, which he caused to perform sundry evolutions, which gave them the appearance of being very numerous. The artifice succeeded; the enemy was intimidated and retired, and Caled returned with his army to Medina.

The subjugation of Mecca ensued soon after this event, which mightily elevated the courage of the Musulmans. It had been stipulated in the treaty that there should be peace between the two contracting parties and their allies. This year, a contention having occurred between some of Mahomet's allies and those of the Meccans, and the latter having taken part with their friends, Mahomet considered the treaty as broken, and commenced his preparations. In vain the Meccans employed every expedient to appease him; in vain did Abu-Sofian, chief of the idolaters, take a journey to Medina with the same view, and strive to employ the influence of his daughter, one of the prophet's wives, who declined interfering at the instance of a worshipper of false gods: all hope of reconciliation vanished.

Mahomet commenced his march at the head of 10,000 men. In order to inspire the greater terror, he announced that for the space of three days the Caaba should be divested of its privilege of sanctuary, and that whosoever was taken with arms in hand should be slaughtered without mercy. At the same time, in order to prevent the effusion of blood, he desired his generals to adopt the gentlest measures, and to spare the peaceable multitude. His instructions, however, were not observed. Scarcely had Caled entered the city, than, meeting with some resistance, he laid violent hands upon all he met with. Mahomet was much concerned at this; he contented himself with sentencing to death a few only who had shewn themselves his determined enemies. All who manifested any compunction received a pardon. The mass of the people, who were in some alarm, he pacified by assurances of protection.

In the midst of the tumult of arms, Mahomet's entry into Mecca bore a religious character. He was attired in the dress of a pilgrim, and repeated, as he

he advanced, in a solemn tone, a passage of the *Alcoran*.\* His first act was to visit the Caaba and to pray to the Deity in the holy places. He next proceeded to abolish every trace of the ancient worship of his countrymen, by destroying the idols which surrounded the Caaba. These idols were of wood, stone, bronze, and even glass; part were shapeless masses; the rest were in the forms of angels and men. The largest bore the name of Hobal; it had been brought from Syria, where it was supposed to be endued with the power of calling rain from the sky, and having lost the right hand, it had been replaced with one of gold. This statue was of red stone, and its shape was that of a venerable old man, with a long beard. Mahomet approached each of these divinities in succession, and touching them with the ring he held in his hand, said: "the truth has appeared; let falsehood vanish!" The statues were immediately dashed to pieces, not excepting those of Abraham and Ishmael. He then assembled the people, and addressed them as follows: "There is no other God but the God who has fulfilled all his promises towards his servant, and who has discomfited all his foes. Henceforward you will no longer adore your fathers, Abraham and Ishmael, who were but men like yourselves." He then obliged the Meccans to take an oath of fidelity to him; and he engaged, with equal solemnity, to succour and protect them. The people, impressed with the dignity of his demeanour, exclaimed, "Never was there a prince who displayed more grandeur and majesty!" Mahomet, for the present, tolerated adverse creeds amongst the people; the chiefs alone, Abu-Sofian amongst the rest, were compelled to embrace Islamism.

Meanwhile, the soldiers of Mahomet dispersed themselves in the neighbourhood of the city, demolishing idols and reducing the country. As each tribe, and even each village, had its peculiar divinity, this was a work of some days; but the people in scarcely a single instance took arms in defence of their gods. The inhabitants of the town of Tayef, where Mahomet had formerly sought refuge, and who were considered the bravest in Arabia, and one or two other tribes, manifested, indeed, an intention to resist; whereupon the prophet hastened the adjustment of affairs in Mecca, and it is reported that, pressed for time, he retrenched some of the customary prayers, and in lieu of four prostrations he made but two.

After fifteen days of indefatigable labour, he left Mecca, where every thing had been put in order, and began his march against the idolatrous tribes to the eastward, situated in a delightful country; there was a tradition that the fertility of the soil was owing to Abraham, at whose intercession the Deity had transported the richest district of Syria to Tayef. Mahomet was attended in this expedition by the 10,000 men he had brought from Medina, and 2,000 Meccans who asked permission to accompany him. The army of the idolaters consisted of not more than 4,000. At the sight of such a small force, the Muslims entertained no doubt of success. It is related that one of them, to the great scandal of Mahomet, exclaimed, "With such an army, how can we fail of being victors?" The battle began without delay, but the Muslims met with a resistance they little expected. The idolaters were posted upon two eminences at the extremity of a vast plain; the spot was named Honain. The Muslims were received with a shower of arrows, and were unable to open a passage. This resolution staggered them; the idolaters from Mecca seized the opportunity to sow dismay among the Muslims. "The enchantment

\* See sur. xlviii, v. 1, *et seq.* The passages are still placed upon the colours and standards of the Muslims.

ment is at an end," said one : " the idolaters will on this occasion obtain the victory," said another. In short, the adverse army having made a timely attack, the Musulmans fell into disorder, the rout became in an instant universal, and the hills and vallies were crowded with the fugitives.

In the meanwhile Mahomet, who was busily engaged in watching the battle from an elevated position, when he saw his men fly, began to shout, " hither, hither, Musulmans ! I am the apostle of God ; I am Mahomet, son of Abdallah !" But nothing could stop their flight, and the enemy was already near him. He had now only a few faithful friends at his side, including Abu Bekr, Omar, Ali, and his uncle Abbas, who was long one of his most zealous disciples. In this emergency he became desperate, and resolved to plunge into the midst of the idolaters, and there court an honourable death. He was prevented, however, and his mule was held back with difficulty by his people. At length, at the powerful voice of Abbas, which re-echoed throughout the field, the fugitives began to halt ; the nearest returned—the more distant rejoined them ; the fight was renewed ; the idolaters, hurried on by their ardour, had disordered their ranks. Mahomet, placing himself at the head of his troops, encouraged them by his voice and gestures. By degrees the idolaters began to recede ; whereupon Mahomet had recourse to the same expedient he employed at Bedr ; grasping a handful of dust, he threw it in their faces, exclaiming : " may their countenances be confounded !" His soldiers at this made a fresh effort ; the idolaters, pressed on every side, gave way ; they were pursued at the point of the sword, their ranks were confused, the rout became general, and the battle was gained. Allowing the enemy's troops no time to recover, he pursued them in every direction, and laid siege to Tayef. As the place was extremely strong, he was obliged to use extraordinary means. He took into his service 400 Arabs of the country, who were reckoned expert in the art of mining and besieging. He made battering-rams, catapults, and other machines equally formidable. But the idolaters declared they would either conquer or bury themselves in the ruins ; and Mahomet, after exhausting every expedient which his ingenuity could suggest, was obliged in about three weeks to raise the siege and retire.

Notwithstanding this check, the expedition was advantageous to him. In the course of this war, the Musulmans had taken about 6,000 idolaters prisoners ; and conformably to eastern usage, the captives became the property of those who had taken them. The allies of the Tayefites intimated to Mahomet, that if he would restore their countrymen, they would immediately submit to him and embrace Islamism. Mahomet, overjoyed, assembled his soldiers, and with their consent liberated all these captives. Thus Tayef was the only place in this part of Arabia which persisted in the worship of idols.

Mahomet, according to custom, ascribed all the honour of this affair to the arm of the Lord. He thus expresses himself in the *Alcoran* : " God hath succoured you on divers occasions, particularly at Honain ; he then sent down legions of angels whom ye saw not, and punished the unbelievers."

When he had brought these matters to a conclusion, he re-entered Mecca, where he performed his devotions at the Caaba ; after which he returned to Medina. His entry into this city had all the character of a triumph. The people were the more extravagant in their demonstrations of joy at seeing him again, from having entertained a belief that if he once gained possession of the place of his birth, Medina would no longer be the seat of his power. Thus ended the eighth year of the Hegira.

(To be concluded next month.)

## THE LATE SIR THOMAS MUNRO.

*To the Editor of the Asiatic Journal.*

SIR : Considerable pains have been, and are taking, to disparage the evidence given by the East-India Company's servants generally, at the time of the last renewal of their charter. It is said that upon that occasion, "opinions, proceeding from high authority, influenced prejudicially the discussions then pending, and which subsequent events have proved to be most erroneous :—" the public, therefore, have been cautioned against the recurrence of similar delusions, and the two Houses of Parliament against being led astray by the mis-statements of the Company's servants in 1813, by a gentleman who, though once a Company's servant, is now a leading member of a house of India agency, and who tells us "that *he* stood almost *alone* in strenuously asserting that the commercial intercourse with India would be, what it is now proved to be, by the opening then conceded." This is not the time or place to comment generally upon such assertions ; but in so far as they apply to the evidence of Colonel Thomas Munro, who from his acknowledged high character and local experience, has been particularly singled out as the greatest misrepresenter and deluder, I cannot pass them over without notice.

The evidence of the Company's servants on such an occasion ought certainly to be received with due discrimination and caution, according as the witnesses may appear to be more or less influenced by their own interests or prejudices, in supporting the Company's undiminished authority, or their own previous opinions ; but equal justice demands a similar caution in receiving the evidence of those persons who are decidedly inimical to the existence of the Company, and particularly of that class who are specially interested in the private trade to India.

It is the duty, however, of the members of the two Houses of Parliament to judge and decide upon the value of any evidence that may be given before them ; to appreciate it only at what it is worth ; and whatever Mr. Rickards and some others, who take his extreme, if not interested, view of the subject, may think or say, it is by no means certain that the present members of Parliament will concur with them in pronouncing that those of 1813 were either misled or deluded. Parliament had a political as well as a judicial duty to perform. They had to decide on the very delicate question, as to whether any and what innovations should be made on the long-established chartered rights of the East-India Company ; and having made up their minds that, as far as regarded the trade to India, it might be thrown open to a limited extent, with a probable prospect of general advantage, they resolved upon that course, and thus steered between the two extremes of strict prohibition and unrestrained intercourse—leaving it to time and experience to show what further restrictions might be removed, without endangering the existence of the British empire in the East, and with a fair probability of affording benefit to the people of England and India. It may consequently be fairly presumed, that they did not set an extreme or undue value upon any single evidence either one way or the other, and that they were neither deluded nor led away by misrepresentations.

Nothing is more unwise, or more likely to defeat the object they have in view, than the rash and inconsiderate conduct of certain reformers. The believers in the infallibility either of persons or of human institutions, are now reduced to insignificance. It is almost universally admitted that the wisest men

men may err, and that institutions and measures of government, however perfect when they were originally framed, may in process of time and the ever-varying change of circumstances require alteration and amendment; but when vested, or even long-established rights, have existed, or where there is fair doubt as to the expediency or the consequences of infringing them, it is the part of good sense and good policy to proceed with the utmost caution, and even the very feelings and natural prejudices of the parties interested are entitled to some respect. These, however, are principles but ill-suited to the views of such reformers. Because time and circumstances are admitted to have rendered some change desirable, they all at once jump to the conclusion, that a total and radical change is not only necessary, but should be adopted, and not by degrees, but at once, and *instantly*. They think perhaps that by such attempts, though they may arrive at more than they perhaps really wish, they will gain more than if they limited their endeavours to obtaining only what is really wanted: but it is much to be feared that such conduct has a directly contrary effect, by alarming the great majority of persons who are well disposed to amendment, and inducing them, from an apprehension of the dangers which must always result from rash and hasty innovations, to oppose even those which, if sought for with prudence, moderation, and discretion, they would readily be disposed to support, and thereby delaying, if not defeating, the object of all parties.

The evidence of Colonel Munro, however, has been treated much more unfairly than even the conduct of Parliament. It is universally acknowledged, as an equitable rule, that one part of a person's evidence shall be construed by another, and the sense of it collected from the whole; and yet what does Mr. Rickards? He first quotes that part of Colonel Munro's evidence which best suits his purpose of disparaging it; then he allows that Colonel Munro was compelled, as he expresses it, before the House of Commons to admit facts at variance with the part quoted; and lastly, he takes credit to himself for giving Colonel Munro's evidence in his own words, lest he might be accused of misrepresentation, while he omits altogether those numerous parts of that evidence which, if construed together with what is quoted, as it fairly ought to be, would produce quite a different result.

Mr. Rickards would wish to make the public believe that, according to Colonel Munro's evidence in 1813, there would be no considerable increase in the consumption of European commodities among the natives in the event of a free trade to India—that the natives have no taste for our manufactures, but greatly prefer their own—that there are few persons in India who purchase any European commodities—that the only articles in demand are “very trifling—a few pen-knives, or scissors, or small looking-glasses, or spectacles” (when he was quoting, it would have been but fair to have included woollen goods); that the then supply of European commodities was equal to the demand of every part of India he had seen—and that the then system of supply was equal and more than equal to any probable increase which was likely to take place—and Colonel Munro, he says, ascribes all this *chiefly* to the *unalterable simplicity of Hindoo habits*. Both the words and the meaning of any man may be so tortured, when there is a disposition to do so, as to make them appear to bear almost any construction, however perverse, that it may be wished to put upon them; I shall not, therefore, waste time by discussing how far the evidence quoted by Mr. Rickards can, upon any reasonable construction, bear the meaning he has put upon it; but shall state such parts of the evidence as he has *not* given, and which, when connected with that which he has quoted,

will bear quite a different construction. Colonel Munro certainly said that the natives were very much attached to their *modes of living and thinking, habits, and fashions*; that they were as unchangeable on those points as any people could be; that little or no changes had taken place in those respects, as far as his experience went, amongst those settled at the presidencies; but he added, "they are not positively unchangeable, but until their civil and religious institutions change there can be little change in their present condition." With reference to the time when Colonel Munro had left India, in 1807, and as applied to Madras, the only principal settlement he had ever been at, and more particularly to the districts he had lived in, this evidence was as correctly true as an evidence of the sort ever can be. The other principal settlements, it may be said, were included in the answer; but even if he was wrong in respect to them, which yet remains to be proved, he only referred to them, which he had never seen, from hearsay—and it is too much to presume that the committee allowed themselves to be guided by hearsay, when they had much more positive evidence before them.

Neither do the few partial instances of change which were stated in evidence by others, and admitted even by Colonel Munro, militate against his general assertion as to what he himself had seen. It is true that, with reference to the consumption of European articles by the natives, he gave answers to the effect asserted; but it is not true, that he attributed the improbability of any considerable demand for such articles, *chiefly* to the unalterable simplicity of Hindoo habits; on the contrary, he said, distinctly and repeatedly, "that the Hindoo had no prejudices against the use of *any thing* he could convert to any useful purpose;" but that "while he can get clothing, *better and cheaper in his own country*, the influence of climate, his religious and civil habits, and the excellence of his own manufactures, would preclude the consumption of Europe articles—that until we can very greatly reduce our prices we shall find no market in India—that there must be a very great improvement in our machinery for manufacturing woollens, before we can sell them in India—that the reduction in our prices was not likely to be sufficient, except at some distant period, to create any material increase of demand for the export of our manufactures to India;" and that "*until we can undersell* them in such articles as they require for their own use, we have no hope of extending the use of our manufactures in India;" but that "*if we could* furnish our woollens (and of course any other manufactures) as cheap or something cheaper than the natives can furnish their own, there would be a very considerable demand, and that any improvement in the means of the natives would greatly tend to facilitate their consumption." In fact, he distinctly declared that it was *entirely a question of price*—so it was—and this simple answer might with propriety have been given to all the questions upon that point. The only question therefore, with reference to the correctness of Colonel Munro's evidence is whether or not he was right in supposing that *at the time* that evidence was given, or rather at the time when he left India, which was five years before, the price of such British manufactures as the natives could convert to any useful purpose, was so low, and the articles themselves so good, as to induce the natives of India to purchase them in preference to their own manufactures. Upon this point we never before heard a doubt expressed; but Mr. Rickards asserts that Col. Munro "was most erroneous in supposing that native Indians (at the time in question, I suppose he means, or his charge amounts to nothing) could supply themselves with the little they did want at a cheaper rate from their own manufactures than by importing British or European fabrics;" but

as this is a mere assertion—as far as I understand, contrary to fact—and at any rate unsupported by evidence—it does not seem to require further notice. It would be no proof of this assertion to shew, even if it could be shewn, that in some corner of India, some particular article of European manufacture might at the time have been sold cheaper than the same article of Indian manufacture, for Colonel Munro was only speaking of the prices in India generally, as far as his experience went. It may, however, be urged that he was wrong, because he did not contemplate the great reduction in prices which has actually taken place in England since 1813. It is this, together with the forced sale in India, which has led to British manufactures being disposed of there at so low a price as to induce the natives to purchase them in considerable quantities; but who could with propriety, or did, in giving his evidence in 1813, calculate upon such a state of things? I have neither seen nor heard any thing up to this day, that induces me even to suspect that the supply of European articles in 1813 was at all unequal to the general *natural* demand for them, or that any natural increase of demand might not have been supplied under the system of trade that then prevailed; and this is all, according to my interpretation of it, that Colonel Munro's evidence went to. But there can be no doubt that private merchants are more likely to *force* a demand, than a trading government, and will make, and are frequently compelled against their will to make, greater sacrifices to effect that object. The increasing trade with India has been brought about in this way, and many circumstances have combined to assist it, which sanguine men, who guess at every thing, might have guessed, but which no one but a prophet could have foretold. The opening of a new trade, of itself, gave a great stimulus to speculation; the general peace of Europe, which followed soon after 1813, added to it, and by throwing open the whole European continent all at once, created, for a time, an unusual demand for many of the products of the East, which enabled the private trader with India to carry on his first speculations with tolerable success; but the market for English goods there, and for Indian goods here, soon became glutted, and in both quarters sales were forced, and goods sold below their prime cost. This, however ruinous to the traders, had the natural effect of creating an increased consumption and demand, which the unlimited issue of paper money, the extravagant credit given, and the disastrous phrenzy for speculation, which pervaded all classes in England up to 1822, 1823, and 1824, enabled the merchants to supply. Then came the panic, and the alteration in the currency followed quickly upon it. These events had again the equally natural effect, not only of reducing prices, but of keeping them so very low, as to enable the private merchants, notwithstanding their losses, to export largely to India with a certainty, for the present at least, of underselling the Indian manufacturer in his own market. By the account of exports to India for the last year, it appears that the private trade to India has been greater than ever. But this has been owing in a great measure to the Company having, for special reasons, greatly reduced their exports to India. If Mr. Rickards really foretold all these events, he was a prophet indeed. Colonel Munro, however, was not called upon by the House of Commons to prophecy, but to give evidence. That some good has resulted from this state of things there is no doubt, though it has been purchased at a considerable sacrifice of individual property, and has not been unmixed with other evil. After all, however, as Colonel Munro said, it has been and still is a question of price. Prices, no matter how, though sooner probably than he or most people expected, have been so greatly reduced, that  
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the natives of India are ready and willing, to the extent of their means, as he said they would be, to purchase such European articles as they can convert to any useful purpose; and it may be readily admitted, that this object has been accomplished much sooner than it could have been, if ever, under former restrictions. Mr. Rickards however tells us, that though he is no prophet, he does not hesitate confidently to affirm from his knowledge, that the present increase is not a tythe of what our trade with India will be, if at the expiration of the present charter it be ridden of other restraints, &c. It requires no prophecy, and no knowledge or experience of the inhabitants of the East, beyond the common knowledge of human nature, to say this: for provided we can contrive to undersell the manufacturers of India, or to supply the people with other articles even, if we could, at a cheaper rate than they can produce them themselves, and provided also we can insure a return for what we export, there can be no doubt that the trade will increase to the full extent at least of the means of the people. Neither is there any doubt that the wants of the people will increase with their means. The man who goes nearly naked, would clothe himself and his family, would in cold weather wear woollen instead of cotton cloth, would live in a house instead of a hut, or in a palace instead of a house, would ride a horse, or in a hackney, or even in a carriage, instead of walking, and would double or treble his establishment in every way, *if he had the means*. Nor is it meant to be denied that Europe may produce many articles as yet unknown to the people of India, which they may be able to convert to some useful purpose, and if so, that they will readily purchase it, *if they have the means*.\* But there is nothing in Colonel Munro's evidence against all this; on the contrary, all that he meant to say, according to my interpretation of his evidence, was, that notwithstanding the few instances to the contrary, we must not expect to see the great body of the natives wearing leather breeches and top-boots, like Mr. Rickards's friend the Rajah of Coorg, or furnishing their houses and giving entertainments in the European fashion (not even excluding splendid cards of invitation), as some of the Parsees of Bombay, and the rich natives of Calcutta and other places, are occasionally wont to do—or commissioning large supplies of cherry-brandy, as Holkar did. There is nothing in all this, except the cherry-brandy part of it, which militates against the prejudices of the Hindoo, and he will even drink wine as a medicine; but he does these things, not to gratify himself or his fellow-countrymen, but to gratify his European friends and acquaintance; and it is not to be expected, or even wished, that he should give up his own habits for ours, in his own domestic circle.†

Upon another point Mr. Rickards says, that "Colonel Munro contends that permitting English traders to range and reside in the interior, *would* be attended with very dangerous consequences, and great inconvenience to the peace of the country; that great mischief would arise from persons, newly arrived

\* This is the point probably that Mr. R. means eventually to come to, and to shew that the want of means is owing to our merciless and grasping government; but if he mean to attack Colonel Munro upon this point, he will be much farther wrong than he has been already.

† The Nabob of Oude, it is said, some years ago commissioned a large supply of Derbyshire or Staffordshire ware, of every description of article. When it arrived he gave a splendid entertainment to the whole of the European gentlemen and ladies in his neighbourhood, who were not a little astonished and amused, when they went into the room of entertainment, to see a dozen chamber utensils, which, in ignorance of their intended use, he had placed round a handsome vase in the middle of the table, all filled with milk; but he must be a bold prophet indeed who would upon such a ground predict the general use of such articles, and a still bolder speculator who would export a large cargo of them for the *general* use of the natives.

arrived from Europe, and before they were duly tutored and initiated into the mysteries of native manners; that unless a free trade were confined to the three presidencies, or one or two other ports having European garrisons and *magistrates*, and subject also to the system of licenses and all other restraints now in force, including the power of arbitrary deportation, the security of our possessions in India would be endangered, and the government unable to maintain its authority."

The same unfairness pervades this as the former quotation from Colonel Munro's evidence. He certainly did apprehend danger from the unrestricted admission of new men from England, to range over the interior of India as they pleased; but he was pointedly and specially speaking of such countries as the Ceded Districts, which had only just been brought into good order from a state of the greatest anarchy and confusion. Mr. Rickards states nothing to shew that this was an ill-grounded apprehension, and I very much doubt whether he or any other prudent merchant, would trust *any* European, just landed, however respectable, to go and purchase or sell articles for him in the interior of such a country. But Colonel Munro distinctly stated that he did not apprehend similar consequences from persons who had lived long enough on the coast to become acquainted with the manners, language, and customs of the people. And what was the danger he apprehended? "I think," he says, "that it (the free admission of newly arrived Europeans into the interior of *such* a province) *might* occasion disturbances that *would* eventually be dangerous to the government of the country; but although they *might* at the time occasion some partial riots, I have no idea they would occasion insurrection; they would produce a sort of discontent which might remain at rest till an enemy entered the country, when the minds of the inhabitants by such conduct would be prepared to favour the views of the invader." He also said that he considered the high respect entertained for the English character to be the principal pillar of our government in India, and that any such conduct on the part of new comers, if it took place, would have the effect of lessening that high character, without which our government cannot exist.

It may be true, as Mr. Rickards says, that French, Danes, and other foreigners have been able for a long succession of years to carry on commercial dealings with native Indians, and other Asiatics, and that European merchants, British if you please, have resided in districts not subject to the Company in perfect harmony with the natives; but it is equally true that many disturbances have been occasioned by similar descriptions of persons. The consequences, however, of such disturbances committed by foreigners, even in the British territory, or by British subjects in a foreign territory, would be very different from the probable consequences of such disturbances committed *by* British subjects *in* the British territory. The misconduct of the foreigner would in no way tend to degrade the British character or injure the British government; and he would be more cautious in his conduct than the British subject, because he could expect little support from a foreign government, and because he knows, not only that he is there upon sufferance, but that he is looked upon with suspicion: for the same reasons as a British subject in a foreign country would be equally cautious in his conduct, since any misconduct on his part would subject him to the loss of life and property at the will of a despot. But a British subject in British territory, although he knows he is only there to a certain extent upon sufferance, always trusts, unless he is outrageously wrong, that his fellow-countrymen will support him, that the natives will not complain of him, or, at the worst, that, however bad his case may

may be, he will find some ultra-patriot in the General Court, or House of Commons, to represent him as a highly injured man, and from one or other, or all these reasons, will be unguarded in his conduct, till he has lived among and seen enough of the natives, to find out, that much more may be done with them by mild and honest treatment, than in any other way.

Colonel Munro's evidence, however, does not go to confining the free-trader to the three presidencies, but to any ports or places where any British authority is established and exercised by a British subject; and for this simple reason, which should have been stated, that British *native* officers of government have not the power to control the misconduct of European traders. He also maintained the necessity of the local government retaining the arbitrary power of deportation, as it is called; and until some equally effectual substitute for that power can be devised, it is to be hoped that it never will be taken away from them. It is said, too, that Col. Munro has "deliberately asserted that the Company's commercial dealings have not only raised the national character in the eyes of the natives, but that the continuance of the monopoly is necessary to enable the government to carry on the political administration of the country." The answer he gave to a question upon this point was: "This is a complicated question, but I should *rather think*, that by such a separation (of the commercial transactions of India from the sovereign power) the power of the Company of carrying into effect their government would be very much weakened." Again he says: "An open trade restricted to the principal settlements, or any places where there may be an *European* vested with competent authority, would be productive of an increase to the prosperity of the country, by the introduction of a great capital into the principal settlements; that there would be no difficulty in preserving the peace of the country and the security of Government under such a state of things; that the Company have no better means of introducing our manufactures into India, than private merchants, and, that the character of the Company, high as it is in its commercial capacity, gives them no other advantage over private merchants in transactions with the natives, than the permanency and certainty of the demand which the Company have for their commodities."

In another place, too, he says: "I should apprehend that even if the commercial departments were suppressed, the remaining departments would be able to maintain the authority of the British Government in India, but not with the same ease as when those departments remain."

I have not been able to find the assertion which Mr. Rickards has put into Colonel Munro's mouth upon the point in question; but even if he did so assert, it is only fair to construe the assertion with reference to the rest of his evidence, and the impartial reader will then easily decide how far that gentleman has been impartial.

With respect to licenses, the use and object of them does not seem to be clearly understood. Under any circumstances, it will probably be admitted, that the Indian authorities in England ought for police purposes, if for no other, to know what British subjects do proceed to India; the local government ought likewise to know who lands and who remains there; and some precaution seems necessary to guard against such persons becoming a burthen to the Company. The license denotes that the person obtaining it embarks with the knowledge of the home authorities, and a condition of obtaining it is, or ought to be, that the individual shall give security that he will not become a burthen to the Company. If such security was not taken, and British sub-  
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jects of every description were allowed to go to India, in any numbers, at pleasure, the country might swarm with adventurers, and all who did not succeed, either by fraud or honesty, would resort to the Government for support, at least to the extent of maintaining them till they could be sent home again at the expense of the Company. In any other point of view, at least as long as the power of deportation is preserved, licenses do not seem of any material importance; and even though the discretion of withholding them when applied for should be withdrawn, the necessity for taking them out would appear to be equally urgent. It was in this point of view, I apprehend, that Colonel Munro looked at the importance of licenses.

Sir Thomas Munro being no longer alive to defend himself, I have gone further into this subject than the nature of the charge perhaps calls for. But I feel the injustice of the accusation too strongly either to pass it over or to say less. I have, occasionally, for the sake of brevity, instead of quoting, stated the substance of the evidence, and have connected one answer with another. I admit also that I have stated those parts of the evidence which bear strongest against the partial view of it taken by Mr. Rickards; but I might have stated much more to the same effect, and there is ample reason for believing that the parts of the evidence stated convey the substance of his deliberate opinions.

The fact is, that so long ago as 1795 he looked forward with sanguine hope to a considerable consumption of European articles in India, if they ever could be supplied at a rate so cheap, or a quality so superior, as to induce the natives of India to purchase them in preference to the products of their own country; and it is very probable that the little progress made in realizing that expectation between 1795 and 1813, was the ground upon which he calculated that the future progress would be slow. He certainly did not look beyond the natural course of events; he did not reckon on the consequence of *forcing* the trade, or the great reduction of prices which has since occurred, nor did he conceive that he was called upon to prophecy.

In answer to a letter from a friend in England, who corresponded with him upon all questions of government, and had suggested the abolition of the internal duties upon trade, he says, in March 1823: "What we want *most* is as free an export of our produce to England as from England to India; admission to all our silks and coloured cloths, &c. on moderate duties. This would revive our trade, and compensate for the loss sustained by the decline of the investments."

The public are at length happily beginning to see, in accordance with Sir Thomas Munro, that the India trade is more fettered by the almost prohibitory duties imposed in this country on the produce of India, than by the few remaining restrictions of any other nature on that trade.

Many other quotations from that lamented officer's correspondence might be given to shew the liberal views he always entertained, not only with respect to trade, but all other measures of government. That some discrepancies might be found, or rather may by torturing language be made to appear, in Sir Thomas Munro's as in any evidence that ever was given, there is no doubt; but when the nature and length of his various examinations are considered, when it is seen that the same questions were put to him at different times, and in different forms, the wonder is that he was able to preserve so much consistency in his answers as he did. Nor, in estimating the merit of his evidence, considering the embarrassing situation he was placed in, should his last remark to the House of Commons be forgotten: "I am afraid I have .  
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not been able to give full answers to the questions put to me on such a variety of subjects. I have felt myself incompetent to give the answers I could wish to have done, to all kinds of points, embracing the quiet habits of the European traders in India; the civil wars of the Bengal indigo planters; the oppressions of the East-India Company; and in short to questions, comprehending almost every subject, from the coarse blanket of the Hindoo to the feudal system."

It is not too much, perhaps, to say of the evidence of Sir Thomas Munro, that it conveys the opinion of a man of unequalled experience and general knowledge of the great body of the people of India, and of great forecast and judgment, who felt as anxious, upon principle, for the welfare of the people of both England and India, as for the preservation of the Company's government in India; who saw clearly the advantages of opening the trade, but felt the delicacy, and the too probable danger, of innovating too far and too rashly, all at once, upon long-established and much-cherished rights, by proceeding suddenly from the one extreme of strict prohibition, to the other of unlimited and unrestricted intercourse, and who therefore deemed it the part of true wisdom to commence, at least, by steering between the two.

JUSTITIA.

### SONG.

WHY dance the hours so lightly,  
 That lately limped along?  
 Why bounds my heart so sprightly,  
 And prompts the merry song?  
 'Tis Love that makes the spirits gay,  
 And strews with flowers Life's toilsome way.  
  
 Why is my wakened feeling  
 Alive to others' woe?  
 Why down the cheek fast stealing,  
 The tear so apt to flow?  
 'Tis Love that backs each soft appeal,  
 And hardest bosoms learn to feel.  
  
 Why is my soul so keenly  
 Aroused to danger's call,  
 Scorning the man that meanly  
 Thinks life is all in all?  
 'Tis Love that steels his votary's frame,  
 And decks him with the hero's name.  
  
 Then deign, O Love, for ever  
 To be my gentle guest;  
 And may thy influence never  
 Be absent from my breast!  
 For aching Care and Sorrow fly,  
 O matchless power! when thou art by.

## THE METEMPSYCHOSIS.

CHAPTER I.\*—*The Mede.*

IN the reign of the latter Cuaksh, or Cyaxares, as the Greeks designate this monarch, or Darius the Mede, as he is named in the Jewish Scriptures, I was born into the world at the city of Egbadan, or Ecbatana, on the confines of Media Proper, of which it was for some time the capital, and where tradition reports the great Zerdusht, or Zoroaster, was born. My parents were of Assyrian extraction, and descended from one of the chiefs of tribes, who, in the tumultuous and disorderly times which ensued after the separation of Media from the disjointed monarchy of Sardanpul, exalted one of their number to royal dignity. The city of Egbadan was at that early period a rude assemblage of huts, surrounded by a triple enclosure of mud walls, the innermost, which included an eminence, being occupied by the king, his court, his ministers, and the priests; the second was the residence of the chiefs and principal men of the kingdom; the last, a considerable space, was allotted to the people, and bordered upon the river Choasp. I mention these facts more particularly, in order to contradict the assertions of the Greek and Roman writers, as well as the inferences and conclusions of moderns, which represent this city as having been founded by Semiramis more than a thousand years before the fall of the Assyrian monarchy, and as being, at the latter period, renowned for its splendour and magnificence. The lustre which Egbadan subsequently acquired, when it had been for some years a royal residence, arose from many co-operating causes: the beauty of its site, the refreshing coolness of the climate, and the luxurious habits which were engrafted upon the simple manners of the mountaineers of Orontes, conspired to make Egbadan what it was when the great Alexander occupied it, and when it was disgraced by becoming the scene of Parmenio's murder.

At the era of my birth as a Mede, the manners of the nation had not reached that pitch of luxury and effeminacy, which afterwards occasioned Median softness to grow into a kind of proverb; yet Egbadan, as a scene of opulence and splendour, was noted, even by neighbouring people, not themselves (with the exception of the Persians) examples of severity of morals, for voluptuousness and gaiety. The manners of the Persians afforded a striking contrast to ours: though placed in a much warmer climate, which disposes the mind to languor and the body to indolence, they maintained the rigid and abstinent system of discipline which formerly characterized our ancestors: even the quality and the quantity of food were points which the Persian schoolmasters regarded as of vast importance in the education of the youth, who tasted nothing but bread, vegetables, and water, and were taught to consider the pampering of the appetite as a sure means of sapping the foundations of moral character, as well as of destroying the vigour of the body.

I was the only surviving son of my parents, who had lost several by disease, and one whilst hunting in a paradise, or park, of the king, by the sudden attack of a wild beast. They were, therefore, extremely indulgent to me, and seemed to study how to increase the number of my enjoyments. My character was proud, petulant, and froward; I had no wish which was not gratified to the extent of my parents' ability; I was allowed to be the uncontrolled master of my actions from a very early period of life; I had no pursuit or employment, but that of contriving amusements, and suffered no anxiety but

\* See the *Introduction*, last vol. p. 688.

but from the difficulty of dissipating time by recreations successively new. An account of my daily occupations will show the kind of life I led; and at the same time exhibit a picture of Median manners.

In the morning, before I arose from my couch, three female slaves (the most beautiful I could procure) entered my apartment. They waited in silence till I awoke, and felt disposed to rise. They then attended me at my toilet, where my long hair (increased by artificial tresses) was carefully dressed and curled, after being anointed with the most precious unguents. They next tinged the edges of my eyes and the lashes a deep black, and one of them, expressly employed for that purpose, proceeded to paint my face, adapting the complexion to my ever-varying taste. I was next clad in a long and ample robe, generally of silk or the most curious stuffs, flowered, or dyed either purple, or the brightest scarlet, which covered two tunics of fine linen, with long sleeves, the under one white, fastened round my waist by an embroidered girdle; a pair of long and wide trowsers concealed two or three pairs of breeches (for the number of this article of dress denoted the rank of the wearer); my feet were defended by very low slippers or sandals. My head-tire consisted of either a bonnet or turban of fine cloth or silk, of a purple colour, or a kind of embattled tiara, decorated with jewels and gold: the latter was worn upon extraordinary occasions. Having completed my labours at the toilet, or rather having endured the gentle offices of these female harpers from Susiana, renowned for the melting melody of their music, I ascended my chariot and was drawn (the charioteer running beside the vehicle, with the reins in his hand) by Nisæan horses, remarkable for their size and speed, either to the house of some friend, or to a broad terrace by the side of the Choasp, bordered with orange, citron, lime, and other fragrant trees. Here the higher classes of Egbadan, male and female, used to resort, and ride to and fro, less to enjoy the delicious variety of landscape, than to display the magnificence of each other's equipages. Salutations continually passed amongst us, for this was a point of etiquette to which the Medes paid much attention. Equals saluted each other by a kiss upon the mouth; an inferior was greeted by a kiss upon the cheek; the lower orders were expected to fall prostrate when they paid their respects to a superior. The monarch was always thus saluted, even by the highest subject. Later in the day, if I attended an entertainment, or gave one to persons of my own rank, I was dressed anew in the most sumptuous habits, and loaded with necklaces, bracelets, and chains of gold. Upon such an occasion, the repast was prolonged to excess; wine flowed in profusion, and it was in these scenes that the debauchery originated, which afterwards reached such a shameless pitch of extravagance in Media.

In my twenty-fourth year my father died. Upon this event, my usual routine of employments was interrupted; I was forced, in compliance with our national customs, to shave my head; the heads of all the family, women included, were also required to be shorn, and it was even requisite to shave the manes and hair of the horses and cattle of burthen belonging to the deceased. Whilst immured within doors, I could not help musing upon the dull uniformity of my existence; the variety I courted was monotonous; I grew sick of it. I had heard (for I never thought of reading, and had I been ever so much disposed to seek information from this source, we had no historical records besides the annals which were mysteriously preserved in the custody of the priests in the temple, who demanded a darkomoth, or darc

daric,\* for reading, or interpreting, a few lines)—I had heard, I say, of the feats of our first Cuaksh, and of Fraat, or Phraortes, who subjected the Persians and extended the Median frontier to the Alys; and I was vexed that I could do nothing to signalize myself, for I wanted energy. Still I felt as if I might invent some mode of varying the disgusting sameness of my life; an adventure, of whatever kind, would season the repast of life and make it more palatable. What should it be? my fancy suggested a love-intrigue; it was a project which promised to be unattended with labour, and in such a place as Eghadan, as I conceived, with risk. Thus I commenced the career of intrigue, not through the solicitations of desire (for I was cloyed and satiated with its willing victims), but from a cause which has led some men to meditate a conquest of the world,—the having nothing else to do.

Arasp, the king's prime minister, denominated, in Median phraseology, his majesty's *eye*, had one wife (he had a multitude besides) of extraordinary beauty. She was the daughter of a Babylonian grandee or a chattrap, who revolted from Chynaladan, otherwise called Salacus, and distinguished himself afterwards when Nineveh was taken by the joint operation of the Medes and the Assyrians. The court of Eghadan rung with reports of the loveliness of the daughter of Ithobal. Her levity, her coquetry, and fondness for intrigue, were, however, at least as conspicuous as her charms. Many of the young nobility of Media were in the number of her admirers; but the scrupulous vigilance with which she was watched by her husband's spies and domestics, prevented any of these young nobles from boasting of other favours than the equivocal marks of preference indicated by a smile or kind look from their goddess, who was ever eager to swell the number of her votaries. This was the object I determined to assault. My affections were not in the least interested; I wished for something to do, and my vanity and inexperience in these concerns disguised from me the difficulty and peril of the enterprize.

Amongst the persons craftily employed by Arasp to guard his wife and observe her actions, was Arioch, one of the Magi, who, like the priesthood in many other countries, exerted an irresistible influence in Media, not merely over the poor and ignorant, but in the affairs of the educated and the powerful, some of whom promoted the views of the craft from political motives, and others from a secret opinion favourable to their claims as diviners of the future, and interpreters of the will of the Deity. A short exposition of the history and character of the Magi of these remote periods will be useful in illustrating my story.

The religion of the Medes was of a very anomalous kind, far less pure than that of the Persians (though Herodotus says differently), who were monotheists, and worshipped the Deity, not in temples or covered places, but in the open air, and mostly upon eminences. The Medes, on the contrary, erected sumptuous edifices, where the priests resided, and in which they preserved the archives of the kingdom, and public documents of every kind. But there was no state-religion; every individual was free to worship as he listed. The prevalent objects of adoration were the sun, under the name of Mittra, the moon, the stars, fire, water, earth, and wind. The modes of worship were various. For example: in the adoration of fire, the votary employed a priest, who prepared a small pile, which he lighted from a reservoir of the element kept alive (it was pretended) from the most remote period of time. Into this fire was thrown a piece of unctuous wood, and sometimes

a quan-

\* About a guinea and a half of English money.



a quantity of oil, whilst the priest uttered some cabalistical sentences. No person dared to meddle with this fire, during the ceremony, on pain of death; for though different modes of faith were tolerated, one sect was prohibited from offering any indignity to another. In the rites paid to water, a trench was dug beside a river or running stream; a victim was slain therein, and libations of oil were poured, not into the water, but on the earth. Whenever victims were sacrificed, the priests invariably claimed the flesh, alleging that the gods were satisfied with the soul of the animal.

The Magi, though they lent the sanctity of their character to any religious ceremony, whatever might be the object of adoration, nourished amongst themselves a peculiar creed, some points of which they kept, or endeavoured to keep, with mysterious care from the knowledge of the laity. Their ostensible creed was nominally that of Zerdusht, but not the pure doctrine of that philosopher, which was a theism. The Magi of my time professed a belief in one God, represented by two principles, or spirits, whom they constituted the objects of their worship, and which they addressed respectively in their different provinces. If they desired to obtain any benefit themselves, or any prosperity for an individual, they put up prayers to the good genius, who was always worshipped in the day; if, on the other hand, protection was sought against any apprehended calamity, or if a man wished to travel in safety, he petitioned the bad principle, who was implored at night and in the darkest places. Sometimes, as in applications for husbands, and wives, and children, prayers were addressed to both genii.

The great secret of the Magi was a doctrine which was not imparted even to their own body but with caution and injunctions of secrecy; one motive for which seems to have been the ridicule which attached to it in the opinion of the philosophers of Media, who had some suspicion of its recognition by the Magian priesthood. This great secret was—the *resurrection of the soul at a day of judgment and final retribution*. This belief they entertained in common with the Egyptian and Chaldee priesthood, between all whom there subsisted a close but clandestine communication.

The policy of the Magian priesthood was to confine the higher branches of knowledge to themselves exclusively; to corroborate, by every art, their influence over the minds of the laity, and to make themselves the efficient rulers of Media, though the pomp and gaudy appendages of power, as well as the odium of it, were left to the prince, whom they nevertheless generally ruled. The art of divination, which they professed, not only rendered them objects of awe to the people, but really extended their empire over the public mind; for the vulgar especially are prone to believe that they who can foresee an event, are able to influence, accelerate, or retard it. There was, indeed, an ancient law, passed by the early monarchs of Media, that when a magus was called upon to interpret or to foretell, and was unable to fulfil his office, or the event falsified his prediction, he should be crucified. But this law had long fallen into desuetude.

Arioch was one of the most crafty of this astute order. He executed his function as spy upon the wife of Arasp most effectually by seeming to be one of her partizans, and thus acquainting himself with her very thoughts, revealed to him in the double capacity of a friend and a member of the sacred class. He thence learned all the expedients adopted by the lovers of his ward to gain admittance to her presence, which he was able to defeat without exciting the smallest suspicion of their being detected. The policy of this man, in thus devoting all his art and ingenuity to such an object, was partly selfish and partly

partly directed to serve the ends of his order. By his intercourse and close intimacy with the king's "eye," he became familiar with the whole system of foreign politics, which embraced the transactions with the Babylonians, whose king, Neriglissor, was soon after deposed by Kur,<sup>o</sup> or Cyrus, who overthrew his capital and monarchy: an event brought about mainly by the secret and combined machinations of the priesthood in Babylon and Egbadan. This was the leading motive of his agency; but he had another, a desire to secure the lady for himself. His vigilance was, therefore, doubly on the alert.

I was not ignorant that my mistress was watched, and as she frequently appeared in conference with Arioch, I thence inferred that he was the hired spy of Arasp. My determination was soon taken. I resolved to tender him a bribe; for I had repeated assurances from many of my friends, that the most successful mode of treating with a magus was with a bag of darics in your hand.

I met my man at a marriage ceremony of some of my relations, soon after I emerged from my captivity at home, and could decently appear abroad with hair on my head. The marriages of the Medes were extremely simple. They were conducted in the following manner. A splendid entertainment was given by the mutual relations of the parties, for generally more than one marriage was contracted on the same occasion; after the wine had circulated, and the guests were in a state of hilarity, the ladies who had been elected, entered the banqueting-hall, and sat down each by the side of her husband, who took her hand and kissed it. This was the whole of the ceremony; but the Magi contrived to intervene, on the pretext that their astrological skill could indicate a fortunate day, or that their presence sanctioned and attested the contract.

Upon the occasion I refer to, I was fortunately brought into communication with Arioch by an unusual occurrence. One of the bridegrooms had imbibed the exhilarating juice too freely; before he could withdraw, his stomach rejected its contents, and he thereby committed an act of gross indecency utterly unpardonable amongst the Medes. No oriental people, even of the present day, were ever more scrupulous in regard to acts of this kind, which Europeans often visit with mitigated censure. One of the earliest institutes of the Median empire contained a clause of extreme severity against vomiting, or even expectorating, in the presence of another; the latter act was considered a grievous insult even by the vulgar. The hapless offender (henceforward excluded from society) was conveyed from the apartment amidst the smothered reproaches of the guests; Arioch alone attended him, and I followed. As soon as we were alone, I begged Arioch's acceptance of a heavy purse of darics, which he took, not as a *douceur* to himself, but as a donation offered to his gods. I then jocularly congratulated him on the happiness he enjoyed in having such easy access to the handsome wife of Arasp, and observed significantly, that some persons would be glad to pay handsomely for one of the opportunities which he could command whenever he pleased. He replied, with a look of peculiar expression, that he understood me. I took this as a favourable augury, and waited the result.

About this time an expedition was preparing against the Lydians, and Aspenaz, one of the most able of our generals, was mustering his forces at Egbadan. I amused myself in surveying from my chariot the congregated troops; the *élite* was composed of tried warriors clad in tunics plated with gold or steel; some had armour fashioned like the scales of fishes, covering the arms and thighs; their helmets or caps were felt; their arms were spears headed with pomegranates of gold, short swords, daggers suspended from a glittering

glittering belt, large bows and arrows of reed tipped with charred wood saturated with poison; a shield of osier covered with skin and painted with fancy-devices, a quiver fastened to the shield. Such was the appearance of the men at arms. The mass of the army consisted of irregular troops, armed with pikes and slings, and clad in their ordinary habits, namely, tunics reaching to the calf of the leg, with a skin or cloth, dyed a purple colour, enveloping the body as a mantle, and a piece of cloth rolled round the head as a bonnet or turban. Whilst thus engaged I was accosted by one of the subordinate magi, who informed me that Arioch wished to see me. I alighted and walked with the priest to the temple at which Arioch resided, and was conducted to his apartment. He abruptly asked me if I was not anxious for an interview with the minister's wife; I replied in the affirmative. He said that if I was resolved to attempt the undertaking, he would instruct me how to proceed. I gladly accepted the offer, and he then informed me that I could obtain admittance to the palace of the king's "eye," only in the costume of a magus. I took the hint and retired. No sooner did I reach home than I procured the necessary habiliments, divested myself of my profusion of hair, which was at this time all false, placed a tiara on my head, the lower part covering my cheeks, and clothed my chin with a venerable beard. In this disguise I proceeded on foot to the residence of the royal "eye."

I gained admittance without difficulty, and flushed with joy and confidence at the success which had attended me, I inquired for the fair Mahala, to whom, I represented, I was charged with a message from Arioch. The domestic left me alone in an open court. Here I lingered for a considerable time, exposed to the observation of all who crossed the place where I stood, amongst whom I noticed a magus, who regarded me with great attention, and an officer of state, to whom I was an object of scarcely less curiosity. At length I was desired by another servant to follow him, and he conducted me into an apartment occupied by two persons, one of whom proved to be the king's "eye" himself, and the other the chief of the Magi. My courage, or rather my assurance (for of real courage I had none), now entirely forsook me. I probably made no answer to the questions proposed to me, as to the object of my visit and of my present disguise; I heard with horror, but without being able to articulate a word, the order issued for my conveyance to a secret prison, appropriated to state offenders and those unhappy persons consigned to the will of the Magis.

I awoke to reason and reflexion in a gloomy dungeon. Ruminating upon my fate, I could collect no hope from the fact that my sudden disappearance ought to excite suspicion and inquiry. I was not sufficiently beloved by a single individual to induce him to steal an hour from his pleasure to bestow it upon me; and the cupidity of my relations would make them more desirous of stifling than of inciting inquiry. Here then I lay, indulging the most painful surmises, till the certainty of my fate withdrew my thoughts from speculative horrors.

I was summoned before an assemblage of the Magi, in secret conclave; Arioch was of the number. After a short process, I was pronounced guilty of usurping the character of an associate of Zoroaster, an offence which, by the laws of the Medes, was punishable with death. No sooner was the sentence declared, than I knew by the dreadful clamour in the adjoining apartments, the vociferations of the name of Mittra, and the roaring of the sacred fire, that I was to be offered as a victim. What were the mental agonies I then underwent! but these were nothing to the torments which followed. I was dragged

dragged, yelling with dismay, into a subterranean vault, where the glare of the flames in which I was to be consumed disclosed to me the delighted features of a hundred wretches, congregated to feast upon my tortures. In vain I implored, and shrieked, and clung with maddened energy to the limbs of my executioners. After a short ejaculation from the chief magus, a loud shout burst from the assembled throng, in the midst of which I was hurled as from a sling into the greedy flames,—I buffeted them in excruciating agonies for an instant—and expired.

## HINDU COURTS OF JUSTICE.

BY H. T. COLEBROOKE, ESQ.

(From the Transactions of the Royal Asiatic Society, Part i. Vol. ii.)

The following is an abstract, from very ample disquisitions, contained in treatises of Indian jurisprudence.

An assembly for the administration of justice is of various sorts: either stationary, being held in the town or village; or moveable, being held in field or forest; or it is a tribunal superintended by the chief judge appointed by the sovereign, and entrusted with the royal seal to empower him to summon parties; or it is a court held before the sovereign in person. The two first of these are constituted at the request of parties, who solicit cognizance and determination of their differences; they are not established by operation of law, nor by the act of the king, but by voluntary consent. The two last are courts of judicature, established by the sovereign's authority: such a court is resorted to for relief as occasions occur, and not, as the first-mentioned, constituted merely for the particular purpose.

To accommodate or determine a dispute between contending parties, the heads of the family, or the chiefs of the society, or the inhabitants of the town or village, select a referee approved by both parties.

Among persons who roam the forest, an assembly for terminating litigation is to be held in the wilderness; among those who belong to an army, in the camp; and among merchants and artisans, in their societies.

Places of resort for redress are:

1st. The court of the sovereign, who is assisted by learned bráhmans as assessors. It is ambulatory, being held where the king abides or sojourns.

2d. The tribunal of the chief judge (*"Prád viváca,"* or *"Dharmádhy-acsha"*) appointed by the sovereign, and sitting with three or more assessors, not exceeding seven. This is a stationary court, being held at an appointed place.

3d. Inferior judges, appointed by the sovereign's authority, for local jurisdictions. From their decisions an appeal lies to the court of the chief judge, and thence to the rájá or king in person.

The gradations in arbitration are also three:

1st. Assemblies of townsmen, or meetings of persons belonging to various tribes, and following different professions, but inhabiting the same place.

2d. Companies of traders or artisans; conventions of persons belonging to different tribes, but subsisting by the practice of the same profession.

3d. Meetings of kinsmen, or assemblages of relations connected by consanguinity.

The technical terms in the Hindu for these three gradations of assemblies are, 1st. *Puga*; 2d. *Sréni*; 3d. *Cula*.

Their decisions or awards are subject to revision; an unsatisfactory determination

nation of the "*Cula*" or family, is revised by the "*Srēni*," or company, as less liable to suspicion of partiality than the kindred; and an unsatisfactory decision of fellow-artisans is revised by the "*Puga*," or assembly of cohabitants, who are still less to be suspected of partiality. From the award of the "*Puga*," or assembly, an appeal lies, according to the statutes of Hindu law, to the tribunal of the "*Prād-vivāca*," or judge; and, finally, to the court of the *Rājā*, or sovereign prince.

The "*Puga*," "*Srēni*," and "*Cula*," are different degrees of arbitration, which, as is apparent, is not in the nature either of a jury or of a rustic tribunal, with which they have been assimilated; but merely a system of arbitration, subordinate to regularly constituted tribunals or courts of justice.

I now proceed to the more detailed consideration of the composition of such courts.

In several passages of Hindu law books the members of the judicature are enumerated, but not without some discrepancy: one authority specifying so many as ten; others eight, but in some instances, nevertheless, noticing a greater number. The difference, however, is not material.

That enumeration concerns the sovereign court, wherein the king personally presides. The composition of subordinate tribunals, with respect to its members and attendants and officers, has not been particularized; nor are there any directions found concerning the manner in which the business of inferior courts is to be conducted, or the sittings of arbitrators. No doubt the analogy of the sovereign court would be followed, so far as applicable; and the composition of the highest tribunal would be the type or model for the construction of a subordinate one.

A court of judicature is, in the passages which have been adverted to, likened to a body furnished with limbs; and the similitude of the members of the one and limbs of the other is followed out to a puerile minuteness. Without regard, however, to this solemn trifling, it may be observed, that the members enumerated are: first, the king or sovereign prince; next, the chief judge, or superintendent appointed by him; afterwards the assessors or puisne judges, considered in the aggregate as one member, though their number ought to be three, five, or seven. The written law is to be had for reference or consultation, and is mentioned as one member; gold and fire are also to be in readiness, for use in the administration of oaths, and are in like manner noticed as members; as is also water, provided for refreshment. The principal officers of the court, namely, the accountant, the scribe, and the sequestrator, complete the formal enumeration. But to these must be added other officers and attendants of the court, as the summoner and the moderator; likewise the king's domestic priest or spiritual counsellor, and his ministers of state or temporal advisers; and also the audience or by-standers, comprehending qualified persons, any one of whom may interpose in the capacity of an *amicus curiæ*; and persons in attendance to keep order and prevent the intrusion of the populace.

By the Hindu institutes, the administration of justice, civil and criminal, is among the chief functions of the *Rājā* or sovereign; not arbitrarily, according to his mere will and pleasure; but conformably with fixed laws recorded by ancient sages, and agreeably to the established custom of the country.

He will naturally need the assistance of learned persons conversant with those laws and usages, and competent to the application of them in particular and individual cases. There is need likewise of attendants and officers to conduct the process and execute the adjudications of the tribunal. The number, functions

functions, and powers of those advisers and attendants, as prescribed by law, form the legal constitution of a Hindu sovereign court.

It is a topic considered and discussed in every general treatise of Indian forensic law: there is no occasion, therefore, for premising a disquisition on the authorities to which reference will be made.

### § 1. *The sovereign Prince.*

The Hindu sovereign in person hears litigant parties to redress injuries and decide their contests; or he devolves that office on a chief judge, whose duty it is to assist him when present, and to preside in his stead when absent. The right of personal superintendence is in strictness confined to the regular royal tribe of *cshatriya*, or to the *bráhmaṇ'a* invested with sovereignty: one of an inferior class, whether the third or the fourth caste, or a mixed tribe, is not qualified to assume personal cognizance of causes, but is by law required to depute a judge to officiate in his stead. On this point, however, commentators of the law differ; some maintaining the competency of every sovereign, whatever be his tribe, for the personal exercise of judicial authority.

It is the sovereign on whom the duty of administering justice is incumbent. The chief judge, attendants, and officers, are only assistant in the trial of causes, like a stipendiary priest in the celebration of religious rites; and they possess no proper nor original jurisdiction. It is a positive obligation on him; and the attendance of the rest is not indispensable. The spiritual reward of a due administration of law, and the offence of its omission, concern him alone.

Composure and sedateness of demeanour, with simplicity of dress and ornament, are enjoined, lest the suitors of the court be overawed and confounded. A sitting posture facing the east is directed for a spiritual purpose; yet a trivial case may be heard by the prince standing; but he should not be walking to and fro, nor lying down, nor reclining. He holds out his right arm, wearing his mantle in the manner of a scarf, as is usual in an assembly of *bráhmaṇ'as*, and having his hand free to make signs when there may be occasion so to do.

### § 2. *The chief Judge.*

The chief judge assists the prince when present, or presides in court when he is absent. The proper title of this high officer is *Prād-viváca*, which signifies 'interrogator and discriminative pronouncer.' He questions the parties; investigates the case; distinguishes right and wrong; awards trial; and pronounces judgment. All this is implied in the title of his office. Another designation is *Dharmádhyacska*, superintendent of justice. It occurs in the rubric and colophon of divers treatises on law, as the author's official designation, especially in the works of Helayudha.

The chief judge should be a *bráhmaṇ'a*, observant of the duties of his tribe; conversant with the law in all its branches; skilled in logic and other sciences; acquainted with scripture and jurisprudence; and versed in holy literature, possessing conciliatory qualities, with many attainments. He should be gentle, not austere; deliberate, patient, and placid, yet firm; virtuous, wise, diligent, cheerful, impartial and disinterested; and, above all, sincere.

But, if a *bráhmaṇ'a* duly qualified cannot be found, a man of the military class, or one of the commercial tribe (that is, a *cshat'riya*, or a *vais'ya*), who is conversant with jurisprudence, may be appointed chief judge: but not a *s'údra*, on any account, whatever be his knowledge and qualifications. This prohibition concerns spiritual consequences regarding the king's fortunes; it does not affect the validity of the *s'údra's* judicial acts.

§ 3. *The Assessors.*

The assessors of the court, appointed by the sovereign to assist the chief judge with their advice, or himself when presiding there in person, are three, five, or seven, not fewer than the less, nor more than the greater number mentioned; an uneven number being required, that, in case of disagreement, the opinions and votes of the majority may prevail, supposing their capacity and qualifications equal.

They should be *bráhmaṇ'as*, versed in sacred and profane literature, conversant with jurisprudence, habitually veracious, and strictly impartial towards friend and foe, being honest, disinterested, and opulent; incorruptible, attentive to their duties and devoid of wrath and avarice, and uninfluenced by other passions.

If *bráhmaṇ'as* duly qualified cannot be selected, *cshatriyas* or *vai'syas* may be nominated; but not a *s'údra* by any means. The judicial acts of an incompetent or disqualified person are void, though they chance to be conformable with the law. In the instance of the chief judge, however, the *s'údra's* act is not void; neither should it be deemed so in the case of the assessor.

§ 4. *The Audience.*

Writers on Hindu law reckon the audience as a component part of a court of justice; for a bystander may interpose with his advice, as the *amicus curiæ* does in an European court.

This part of the audience consists of persons qualified to sit in court as assessors, being learned *bráhmaṇ'as*, conversant with law; not appointed to be assessors, but attending the court of their own accord, or upon their own affairs. Their interposition is not equally incumbent as it is on the assessors; nor is it called for, unless they possess such qualifications.

A further part of the audience consists of persons attending the court to maintain order, and prevent the intrusion of the populace. They should be *vai'syas*, that is, persons of the third tribe, either merchants or husbandmen.

§ 5. *The Domestic Priest, or Spiritual Adviser.*

The king's domestic priest is regularly a member of the sovereign court of judicature. His nomination is specifically for the one object, as much as for the other: and it is his incumbent duty to check and restrain the king from wrong proceedings, no less in judicial than in religious matters. The nomination of one such priest being sufficient, no more than one is to be appointed. He should be a *bráhmaṇ'a*, versed in science, faithful, disinterested, diligent and veracious.

§ 6. *Ministers of State.*

The ministers of state attendant on the king, are reckoned among the component members of the sovereign court; or, the chief judge and the assessors or councillors, being selected from among the king's ministers and public servants, attend in those capacities, and are strictly members of the court.

§ 7. *Officers of the Court.*

The proper subordinate officers of the court are five, *viz.*

1. Accountant;
2. Scribe;
3. Keeper of claims and enforcer of judgments;
4. Messenger, or summoner of parties and witnesses;
5. Moderator of the court.

1. The requisite qualifications of the accountant are skill in computation, and a thorough acquaintance with every branch of mathematical knowledge, including astronomy (and even astrology), grammar, and other sciences, as well

well as sacred studies, and familiar knowledge of various modes of writing. He must be pure in conduct, and clearly deserving of trust.

2. The like qualifications are required of the scribe. His diction must be unambiguous; his hand-writing fair: he must be honest, placid, disinterested, and veracious.

Both these officers should be of a regenerate tribe.

3. The enforcer of judgment, and guardian of things claimed, may be a *sūdra*. He should be one who has been uniformly employed in the king's service; firm in conduct, but strictly obedient to the judges of the court. His functions are, the custody of things in dispute during the pendency of the cause, and the giving effect to the court's judgment.

4. The messenger, or king's own officer, is one who has been long in his service, but is placed by him under the control of the judges, for the duty of summoning parties, holding them in custody, and seeking and calling their witnesses.

5. Another officer is noticed, under the designation of moderator of the court, but with no other functions assigned to him besides the delivery of discourses on morality for the edification of the parties in suits, the judges, and the officers of the court.

#### § 8. Conduct of Judges.

Passages relative to the conduct of judges, their functions and duties, are very numerous in the institutes of Hindu law. These may not be without interest, collected and exhibited together for reciprocal illustration.

It will be obvious, from the frequent notice of the direct part taken by the sovereign in the administration of justice, and the manner in which this topic is weighed upon, that both when the institutes were written in the names of ancient sages, and when compilations were made from them by later authors, whose names are attached to works received as authority in divers countries of India, the Hindu sovereigns were accustomed to preside in their own tribunals, and take a personal and active share in the discharge of judicial duties.

The obligation of impartial justice incumbent on the sovereign and the judges, is earnestly inculcated, in language forcible and impressive. Careful investigation, a candid avowal of opinion, and strenuous remonstrance against unjust decisions, are strongly enjoined; and it appears from the whole tenour of numerous passages, that the monarch presiding in person determines the causes on his own responsibility. The assessors of the court merely offer advice, but have no voice or vote in the decision.

#### § 9. Punishment of iniquitous Judges.

Iniquitous judges are punishable by fine, exile, and confiscation, for partiality, corruption, and collusion.

The fine is rated at twice the amount of the penalty to which the party cast would be liable; or, according to a different inference from the same law, twice the value of the thing litigated: but where this is not appreciable, the prescribed punishment is confiscation of property. This, however, is a controverted point; and the first-mentioned construction is the prevalent one. Confiscation extends to the whole property of the offender; and is awarded in a case of bribery; as is banishment also.

If the judge's iniquity be not discovered until after judgment has been passed, he is held bound in amends to make good to the aggrieved party the whole amount of his loss. Whether the cause shall be reheard, is a controverted point: one authority requiring revision of the judgment, and another directing that it shall not be disturbed, but amends made to the aggrieved party.



party. This difference is grounded on a variation in the reading of the same text of law.

### § 10. Court-House.

Minute directions are given concerning the situation and aspect of the court-house, and the decorations of the apartment in which the court is held. It will be sufficient to cite authorities on these points, without going into a discussion of unimportant questions arising out of them. It matters little whether the court-room should be an apartment of the royal palace or a separate edifice; nor does it much signify what are the proper and auspicious dimensions of a building designed for this purpose, according to Hindu notions of symmetry. The east is the prescribed aspect, whether the house be a distinct one, or contiguous to the palace.

### § 11. Time and Mode of Sitting.

There is something curious, or approaching to it, as descriptive of ancient manners, yet not differing much from the habits of modern Hindu princes, in the minute directions given concerning the time when the courts should sit, *viz.* the forenoon, as most convenient; the hour at which the king should take his seat after early religious observances and ordinary preparations of the morning; the manner in which the members of the court are distributed, the king facing the east, the judges on the right, the scribe on his left, and the accountant facing him; and likewise concerning inauspicious days, on which courts should not assemble.

(Here follows a copious quotation of authorities and extracts.)

## CHINESE NOTIONS OF ORIGINAL SIN.

Two celebrated disciples of the Confucian sect in China, Mang-tsze (or Mencius) and Seun-tsze, differ on this point, namely, whether the human heart was originally virtuous or wicked. Mang-tsze contended that man's nature is at first virtuous, but is corrupted by bad acquired habits. He illustrates his doctrine by a simile of a beautiful forest, situated near a populous town. This forest was originally grand and majestic, comprehending nothing noxious or venomous. The axe is laid at the root of the trees, and the beauty of the forest disappears. But, he adds, nature would restore its lost majesty; the trees would shoot forth again, and all their verdure would return. Beasts, however, are let in, which devour the tender twigs. Thus, human nature is comparable to the forest in its glory; bad habits intrude; yet the innate principle would overcome them; but bad associates, like wild beasts, corrode the sprouts of virtue. "Man's natural disposition," he says, "must not be blamed; he brutalizes himself." Seun-tsze, on the other hand, maintains that man is vicious by nature; that his very virtues are counterfeit (*wei* composed of *man* and *to make*), or not innate. He says that men are covetous, since they quarrel for gain; envious, therefore they nourish ill will; lustful, therefore they are prone to lewdness, inflamed by the ears and the eyes.

Some philosophers endeavour to make a compromise between the two, believing that man's nature is not so good as Mang-tsze thought, or so bad as is represented by Seun-tsze.

## Review of Books.

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*Memoirs of the Extraordinary Military Career of JOHN SHIPP, late a Lieutenant in His Majesty's 87th Regiment. Written by Himself. London, 1829. 3 vols. cr. 8vo.*

THERE have been few memoirs, even in this age of autobiography, so curious and amusing as these. We have here the history of a man who raised himself by mere dint of merit from the abject condition of a workhouse-boy to the possession of a commission in the King's army; who, compelled to dispose of it in order to raise money at a period of distress, entered the army again as a common soldier, and working his way upwards once more, by valour and merit alone, through all the successive gradations from that humble station, attained the same rank he formerly held, that of lieutenant in a King's regiment. The narrative possesses all the charm of a fiction, although it carries with it convincing proofs of veracity. In short, notwithstanding the occasional indications of want of scholarship in the writer, the absence of very refined taste in some portions of the narrative, and other trifling drawbacks, which are, at the same time, evidences of its authenticity, we have seldom met with a more pleasing piece of light reading than the memoirs of Mr. Shipp.

Whilst deeply engaged with him in the Nepaul war, in which this officer distinguished himself in an eminent degree, happening to cast our eyes upon a Calcutta paper, our sensibilities were much shocked at perceiving in it "an appeal to the benevolent and humane consideration of his Excellency the Right Honourable Viscount Combermere, and the officers of His Majesty's and the Hon. Company's armies on the Bengal establishment, as likewise the Masonic and European communities, respectfully submitted by the friends of the two orphan children of the late Lieut. Shipp, of H.M.'s 87th regiment, who died in England last year." This appeal contains the following statement :

It will appear truly distressing to every feeling and generous mind to be informed that this gallant officer, after having lost an amiable wife, quitted India in the year 1825, leaving behind him two sons, one aged five years, the other five months, under the maternal care of their grandmother, who has hitherto done every thing for them. By his death these helpless orphans are thrown on the world destitute of the means of education, or even any provision to promote their future views. As Mrs. Humphreys is a widow, her limited funds are inadequate to the support and education of these poor children.

This statement was followed up with an exposition of the splendid services of Mr. Shipp, and the testimony borne to them by the Court of Directors, who allowed him a pension of £50 per annum; and ended with a list of donations, at the head of which is "Combermere, 200 rupees."

Finding that the preface to the work before us was dated "January 1829," and that the writer expressed therein a wish, not likely to proceed from a dead man, that he might be employed in active service in his profession, we set on foot an inquiry into the fact, and soon obtained bodily evidence of the existence of Mr. Shipp, who, in addition to his wonderful escapes "i' th' imminent deadly breaches," has now lived to see his own death recorded, and to enjoy the posthumous honours paid to his memory.

Mr. Shipp relates with some pathos and effect the particulars of his early history.

history. He was born at Saxmundham, Suffolk, in 1785 ; his father was a soldier on foreign service ; his mother died whilst he was young, and left three children, one of whom died soon after, in utter destitution ; their only asylum was the village workhouse. Our hero was by nature wild and enterprising ; and there is little wonder that, with these qualities, and hereditary attachment to the military profession, he should long to become a soldier, even at the age of ten ! In short, in 1795 he enlisted in one of the " experimental regiments," as they were called, formed by Government to relieve parishes of boys from the age of ten to sixteen. He relates with some humour the miseries he went through in his transmutation from a bumpkin to a soldier. He was first employed to beat the triangles, then learned to play the flute, and was advanced to the post of fife-major. In this capacity he embarked from Portsmouth, with some troops, for the Cape of Good Hope, where he acted as a rifleman, and " fleshed his pigmy sword " (he was then sixteen) in expeditions against the Caffres, whom he paints in horrible colours. A love adventure with the daughter of a Dutch boor tempted him to desert ; he was retaken, and sentenced by a court-martial to receive 999 lashes, more than fifty for every year he was old ; but his commander, Capt. Effingham Lindsay, of whom he speaks in the warmest terms, and who appears to have acted the part of a real friend towards him, remitted the punishment. From the Cape he embarked for India.

Mr. Shipp gives such a description of the dissolute manners of the European troops in India, that we are not surprised they wear out so fast in that climate. His distaste for their drunken orgies was a striking characteristic of this young soldier, who tells us that in those days, and for years after, he knew not the taste of spirituous liquors, and the very smell of arrack would drive him from the barrack.

Careful of his health and morals, and studious of improvement in reading, writing, and accounts, in which his kind captain gave him instructions, he was, at the age of eighteen, promoted to the rank of corporal, the first great event in his military history, and which he relates with much humour. In six months he became serjeant, then pay-serjeant, a post of some profit. Soon after he was ordered to join the army under Lord Lake, then employed against Holkar and the Mahrattas, with their Pindaree auxiliaries. For the latter, Lieut. Shipp expresses an equal degree of detestation and contempt, describing them as some of the most cruel and graceless wretches that ever belonged to humanity, and rank cowards. During this campaign he had no opportunity of distinguishing himself. On the capture of Muttra, he tells us, he was plundering the rajah's palace, when he was alarmed by a hideous image of Mahadeo, which terrified him more than the Pindarees.

Early in the ensuing campaign, Serjeant Shipp was in the grand army when it relieved Col. Burn, who, with a small force of five companies of native infantry, was intercepted on his march from Delhi by the whole body of Holkar's cavalry, against whom he manfully defended himself. He was present at the battle of Furruckabad, in November 1804, and at the siege of Deeg, in December. Our hero led the foremost company of the column of assault on one of the redoubts of this fort, and was severely wounded.

At the celebrated attack on Bhurtpore, which immediately followed, Serjeant Shipp volunteered to lead the forlorn hope, an offer which Lord Lake accepted, and promised him a commission if he escaped. He describes the siege as a terrific scene, and acknowledges that after he had engaged upon his desperate enterprise, he wished most earnestly he had " done the deed."

Without

Without parents or ties of any kind, he felt that he was justified in acting "as if he were author of himself and knew no other kin."

I have heard some men say that they would as soon fight as eat their breakfast, and others, that they "dearly loved fighting." If this were true, what blood-thirsty dogs they must be ! But I should be almost illiberal enough to suspect these boasters of not possessing even ordinary courage. I will not, however, go so far as positively to assert this, but will content myself by asking these terrific soldiers to account to me why, some hours previously to storming a fort, or fighting a battle, are men pensive, thoughtful, heavy, restless, weighed down with apparent solicitude and care ? Why do men on these occasions more fervently beseech the divine protection and guidance, to save them in the approaching conflict ? Are not all these feelings the result of reflection, and of man's regard for his dearest care—his life, which no mortal will part with if he can avoid it ? There are periods in war which put man's courage to a severe test : if, for instance, as was my case, I knew I was to lead a forlorn hope on the following evening, innumerable ideas will rush in quick succession on the mind ; such as, "for aught my poor and narrow comprehension can tell, I may to-morrow be summoned before my Maker." "How have I spent the life he has been pleased to preserve to this period ? can I meet that just tribunal ?" A man, situated as I have supposed, who did not, even amid the cannon's roar and the din of war, experience anxieties approaching to what I have described, may, by possibility, have the courage of a lion, but he cannot possess the feelings of a man. In action man is quite another being : the softer feelings of the roused heart are absorbed in the vortex of danger and the necessity for self-preservation, and give place to others more adapted to the occasion. In these moments there is an indescribable elation of spirits ; the soul rises above its wonted serenity into a kind of phrenzied apathy to the scene before you, a heroism bordering on ferocity ; the nerves become tight and contracted ; the eye full and open, moving quickly in its socket, with almost maniac wildness ; the head is in constant motion ; the nostril extended wide, and the mouth apparently gasping. If an artist could truly delineate the features of a soldier in the battle's heat, and compare them with the lineaments of the same man in the peaceful calm of domestic life, they would be found to be two different portraits ;—but a sketch of this kind is not within the power of art, for in action the countenance varies with the battle : as the battle brightens so does the countenance ; and as it lowers, so the countenance becomes gloomy. I have known some men drink enormous quantities of spirituous liquors when going into action, to drive away little intruding thoughts, and to create false spirits ; but these are as short-lived as the ephemera that struggles but a moment on the crystal stream,—then dies. If a man have not natural courage, he may rest assured that liquor will deaden and destroy the little he may possess.

His account of the first assault we subjoin :

Immediately behind me were pioneers, carrying gabions and fascines to fill up any cavities we might meet with. The enemy did not discover our approach till within fifty paces of the ditch, when a tremendous cannonade and peels of musketry commenced ; rockets were flying in all directions ; blue lights were hoisted ; and the fort seemed convulsed to its very foundation. Its ramparts seemed like some great volcano vomiting tremendous volumes of fiery matter ; the roaring of the great guns shook the earth beneath our feet ; their small arms seemed like the rolling of ten thousand drums ; and their war-trumpets rent the air asunder. Men were seen skipping along the lighted ramparts, as busy as emmets collecting stores for the dreary days of winter. The scene was awfully grand, and must have been sublimely beautiful to the distant spectator.

We pushed on at speed ; but were soon obliged to halt. A ditch, about twenty yards wide, and four or five deep, branched off from the main trench. This ditch formed a small island, on which were posted a strong party of the enemy, with two guns. Their fire was well directed, and the front of our column suffered severely. The fascines and gabions were thrown in ; but they were as a drop of water in the mighty deep : the fire became

became hotter, and my little band of heroes plunged into the water, followed by our two companies, and part of the 75th regiment. The middle of the column broke off, and got too far down to the left; but we soon cleared the little island. At this time Col. Maitland and Major Campbell joined me, with our brave officers of the two companies, and many of the other corps. I proposed following the fugitives; but our duty was to gain the breach, our orders being confined to that object. We did gain it; but imagine our surprise and consternation, when we found a perpendicular curtain going down to the water's edge, and no footing, except on pieces of trees and stones that had fallen from above. This could not bear more than three men abreast, and if they slipped (which many did), a watery grave awaited them, for the water was extremely deep here. Close on our right was a large bastion, which the enemy had judiciously hung with dead underwood. This was fired, and it threw such a light upon the breach, that it was as clear as noon-day. They soon got guns to bear on us, and the first shot (which was grape) shot Col. Maitland dead, wounded Major Campbell in the hip or leg, me in the right shoulder, and completely cleared the remaining few of my little party. We had at that moment reached the top of the breach, not more (as I before stated) than three a-breast, when we found that the enemy had completely repaired that part, by driving in large pieces of wood, stakes, stones, bushes, and pointed bamboos, through the crevices of which was a mass of spears jobbing diagonally, which seemed to move by mechanism. Such was the footing we had, that it was utterly impossible to approach these formidable weapons; meantime, small spears or darts were hurled at us; and stones, lumps of wood, stink-pots, and bundles of lighted straw, thrown upon us. In the midst of this tumult, I got one of my legs through a hole, so that I could see into the interior of the fort. The people were like a swarm of bees. In a moment I felt something seize my foot: I pulled with all my might, and at last succeeded in disengaging my leg, but leaving my boot behind me. Our establishing ourselves on this breach in sufficient force to dislodge this mass of spearsmen was physically impossible. Our poor fellows were mowed down like corn-fields, without the slightest hopes of success. The rear of the column suffered much, as they were within range of the enemy's shot. A retreat was ordered, and we were again obliged to take to the water, and many a poor wounded soldier lost his life in this attempt. Not one of our officers escaped without being wounded, and Lieut. Creswell was almost cut to pieces.

Not daunted at this disastrous result, he volunteered to lead the forlorn hope at the second assault, which was equally unsuccessful, and where he was again desperately wounded by a matchlock-ball, which entered over his right eye, and passed out over the left, so that his forehead literally hung over his nose. A month after, a third assault took place; the doctor positively forbade our hero from joining in it, from the state of his wound, which threatened an inflammation of the brain. "I could have thrown what few brains I had," says he, "in his face; but I was obliged to obey." This third attack failed, and 500 men were killed and wounded. A fourth assault was then ordered, and in spite of his aches and wounds, our brave Serjeant was at his old post, leader of the column. Lord Lake addressed him and his forlorn hope with great feeling, a tear dropping down his cheek. On this occasion they found an ascent to be quite impracticable, and the soldiers defending the breach were in complete armour. Mr. Shipp was knocked down by a large shot flung from the top of the bastion. On recovering, a combustible shot lighted on his pouch, containing about fifty rounds of ball-cartridges, which exploded, and he was hurled into the ditch at the bottom of the breach, scorched and bruised. A retreat was sounded; 3,000 had been killed or wounded, and of the twelve brave fellows composing the forlorn hope led by the Serjeant, not one returned. He attributes our failure at this fort to the want of means, there being only four breaching guns employed. In the

next

next General Orders, our Serjeant's name appeared as ensign in H.M.'s 65th regiment, with many encomiums by the commander-in-chief. Lord Lake behaved to him with the utmost kindness, and gave him leave to draw upon him for what money he might want. In three weeks after, he was promoted to the rank of lieutenant in the 76th regiment, which had been so long in India, and so roughly handled, that scarcely a sound man was left in it. The regiment soon after embarked for England, and Lieut. Shipp with it.

On his arrival in his native country, from which he had been absent for nearly ten years, he found most of his relations dead. Being employed on the recruiting service, he fell into habits of dissipation; designing men took advantage of his inexperience; he contracted debts, sold his commission to pay them, and destitute of resources, enlisted in the 24th Dragoons, and embarked again for India, in January 1808.

He found himself on his arrival at Meerut, amongst many, officers and men, who had known him previously. He rose through the gradations of rank till he became serjeant-major, in 1813, "respected by the officers and loved by the men."

Towards the end of 1815, in consequence of a memorial to Lord Hastings, backed by the recommendations of his commanding officer, he was appointed an ensign in H.M.'s 87th regiment, and proceeded to join his corps, which he found was nicknamed "the old Fogs," which formed part of the army employed against the Nepaulese. "It was at a place called Annawah, about thirty-five miles from the great forest of Nepal. At the back of this forest were the strong forts and stockades of the enemy, on hills whose summits were crowned with milk-white clouds, fringed with glittering gold; and in the distance were to be seen the snowy mountains proudly towering over the heads of the more humble hills below."

The details of the campaign, in that part of the country in which our officer was employed, are very interesting parts of this narrative. Ensign Shipp seems to have distinguished himself greatly in the arduous enterprize of turning the celebrated Cheeree Ghattee pass, which reflected such lustre upon Sir David Ochterlony's army. The difficulties of this great and perilous undertaking were perhaps never so well represented before. The unflinching courage and constancy of the British troops, the wonderful sagacity of the elephants employed to drag the guns up the terrific ghats, the exertions of the officers, of Sir David in particular, who was on foot encouraging his men, and the valour and determination of the Ghoorkas, forms, combined, a very striking narrative.

The 87th regiment seems to have formed the advanced guard of the division which penetrated the supposed impracticable defiles which led to the enemy's strong fort of Muckwanpore, and was often in action. The details of these difficulties and onsets are occasionally enlivened by characteristic anecdotes of the soldiers, whose humour the author seems to have had the happy talent of seizing. When near Muckwanpore, the following incident took place:

Two of our men were brought before the commanding officer, for having gone beyond the outline piquet. The fact was, that these impudent fellows had been upon the hill, where the piquet had been, unarmed. After admonishing them for their imprudence and disobedience of orders, the commanding officer asked one of them what he saw; he replied, "Nothing at all, your honour, but a great big piquet; and sure they were not there, but all gone." He added, that "all their fires were alight, because he saw them burning."

"And what did you see on the other side of this first hill?" asked the colonel, trying to smother a laugh.

" Nothing at all, your honour."

" Are there hills or valleys on the other side?"

" Neither, your honour; only a mighty big mountain, as big as the hill of Howth."

" Did you see any men?"

" Divel a one, your honour, except one poor old woman in one of the huts, and she was after going when she saw me and Pat Logan coming near her."

" What took you there?"

" Fait! we both went to take a big walk, for we were quite tired doing nothing—that's all, your honour; so I hope no offence."

\* This report of the removal of the enemy's piquet, which, it appears, was contrary to orders, led to an advance of a detachment of the British troops, and a severe conflict, in which Ensign Shipp displayed his courage and address in single combat with a superior officer of the Nepaul army:

At last some of their men began to give way, and as we were ascending rapidly, their commander, or one of their principal officers, attempted to rally them. Having succeeded in this attempt for the moment, the said officer had the impudence to attack and put his Majesty's liege subject, John Shipp, ensign on full pay, and in the full vigour of his life and manhood, in bodily fear, on the King's high hill of Muckwanpore, on the afternoon of — I now forget the date, he so frightened me. He was a strong powerful man, protected by two shields, one tied round his waist, and hanging over his thighs as low as his knees, and the other on the left arm, much larger than the one round his waist. From this gentleman there was no escape; and, fortunately for me, I had my old twenty-fourth with me, which I had two or three days before put in good shaving order. With this I was obliged to act on the defensive, till I could catch my formidable opponent off his guard. He cut, I guarded; he thrust, I parried; until he became aggravated, and set to work with that impetuosity and determination, pretty generally understood by the phrase "hammer and tongs;" in the course of which he nearly cut my poor twenty-fourth in pieces. At last I found he was winded; but I could see nothing of the fellow, but his black face peeping above one shield, and his feet under the other; so I thought I would give him a cut five across his lower extremities; but he would not stand still a moment; he cut as many capers as a French dancing-master, till I was quite out of patience with his folly. I did not like to quit my man; so I tried other extremities; but he would not stand still, all I could do. At length, I made a feint at his toes, to cut them; down went his shield from his face to save his legs; up went the edge of my sword smack under his chin;—in endeavouring to get away from which, he threw his head back, which nearly tumbled off, and down he fell; and I assure you, reader, I was not sorry for it, for he was a most unsociable neighbour. I don't know whether I had a right or not, but I took the liberty of taking his sword, gold crescent, turban-chain, and large shield. The latter I sported on my left arm during the action, and it was fortunate for me that I did, for I found that the shield was ball-proof, and I should have been severely wounded, had I been deprived of this trophy.

This officer was a distinguished *soobah*, named Kistaph Rana Bahadur, highly esteemed by the Nepaul government; and our author says that it was the opinion of Sir D. Ochterlony, that his fall contributed greatly to the successful issue of the campaign, which was soon concluded by the surrender of the strong fortress of Muckwanpore.

The army returned through the pass which been turned, and the terrific description of it affords a pretty good idea of what the fate of the troops would have been had its passage been attempted.

On the close of this campaign, Mr. Shipp married at Cawnpore, in 1816, the daughter of a conductor in the commissariat; and the ensuing eighteen months were spent in domestic felicity. At the end of this period he was summoned to join the force employed to reduce Hattrass, about thirty miles from

from Agra, and other forts belonging to the raja of that territory. The siege was conducted by Major Gen. Sir D. Marshall. After fruitless attempts at negociation, the place was taken possession of, partly owing to the explosion of the enemy's magazine by a shell. Here our officer displayed his usual gallantry, being foremost in the fray, and severely wounded. He was obliged to be sent to Cawnpore till his wounds were healed.

Our author subjoins to his part of the narrative copies (which he affirms are genuine) of letters from privates of the 87th to their wives, giving an account of this siege; one is as follows:

"Dear Judy,—Sure, the Fort of Hutttrass was taken last night when the moon rose this morning; and, sure enough, by a party of the old Fogs into the bargain. Lieut. Shipp, good luck to his honour, was twice knocked down by them. Och! by the powers, his mother or father must have been of Irish distraction, for he fights for all the world like an Irishman. Sure, he took the fort all alone with only his working-party with pickaxes and shovels, and some Sapyes, and the devil a gun amongst them; but his working-party had a fine opportunity of picking holes in the jackets of the enemy, and shoveling them up in a corner together all in one lump. Two thousand were taken prisoners alive, besides all them that were dead. Sure, I forget, dear Judy, to tell you that there was a great big blusteration in the fort. Their magazine was blown up: yes, and all the powder and ball besides. I was standing in the tool-yard, and found myself laying on my face, and before I could up I was down again. I have no more news except that we shall go from here as soon as we march for Cawnpore, where I hope to find my Judy well. Tell Mrs. Gaffy that Pat is not well, and he is sick besides with a bad cold. We are quite fatigued doing nothing. So no more at present from

"Your doting husband,

"Hutttrass, May 2, 1817."

"P. R."

When Lord Hastings visited Cawnpore, previous to the Pindaree war, Ensign Shipp was appointed baggage-master to the left division of the grand army, as a reward for his conduct at Hattrass. On waiting upon the Marquess to thank him, he replied: "Mr. Shipp, you have no occasion to thank me, but your own merit."

The history of the Pindaree campaign is too long to be told: here Mr. Shipp had fewer opportunities of acquiring distinction than before. The narrative is, however, still extremely curious, and abounds with occasional touches of the pathetic as well as the humorous. As one of the staff of Brig. General Watson, who led the storming party in person, he joined in the assault of Gurr'h Mundelurh. After the capture of the town, our officer was directed to proceed alone, at night, to examine a distant temple, to ascertain if it was a safe asylum for the men.

This temple stood at the end of a long street, to which I was obliged to grope my way, guided only by the distant fired hut, or a peeping star. Why did the general send me alone? Because he knew I would go, and it was better to risk the life of one man than five hundred. I cannot say that I had any great *penchant* for this job, but off I marched without a murmur. It was the general's part to order, and my duty promptly and cheerfully to obey. The night being dark, and the dead and the dying-lying in all directions, it was no very enviable trip; but duty led me through every difficulty. My pace was slow and cautious; not quite so slow as the goose-steep, but something near it. In each hand I had a pistol, and I kept one eye turned to the right and the other to the left, now and then stealing a glimpse to the front, but could not spare time to look behind me. Occasionally my pointed toe would come in contact with a dead body or wounded man. This created sensations by no means agreeable. I had not proceeded far, when some person seized my leg, and said, "Who are you?" This a little startled me; I suddenly drew it away, and said I was his friend. "Then give me some water,"

said



said he, "for I am wounded," I felt every inclination to render the poor creature this service; but it was quite impossible; so I passed on; but had hardly recovered my fright, when a large beam that was on fire fell with a tremendous crash, and several voices were heard, and the sound of persons running from the place where the beam fell. I stopped for a moment to listen, but all was again quiet, and I moved on slowly till I reached the foot or steps of the temple, when I heard the tinkling of a small bell. I ascended the steps and reached the door, when I heard some person murmuring out his midnight prayers. I at last peeped in, and discerned an aged priest prostrating himself on the ground before one of his gods. A small lamp was suspended from the ceiling. I entered and gave him the customary salute of the evening, but he had not the politeness to return my salute, but blew out the light and ran out precipitately, and I followed him, having first minutely surveyed the temple. What the priest took me for I know not, but probably for a ghost, for he was out of the temple in a moment. I returned by the same streets I came down, but a little faster.

After the capture of the fort, our author had to follow one of the Company's artillery to the grave, upon which occasion he relates the following anecdote, which we give as a specimen of those with which the narrative is interspersed:

Observing one of the funeral party lagging behind the rest, I asked him why he did not keep up. He answered, that "He had had a great big fight with the deceased a short time before he went dead, and he did not think the man had forgiven him." "Poh! poh!" replied I, "the man cannot hurt you now he is dead." "Och, fait!" said he, "I beg your honour's pardon. I once knew a man, that was as dead as Barney Flynn's great grandmother, come to life; besides, the deceased said he would never rest, dead or no dead, till he gave me a great big bating, and I should not like to provoke him." "Do not talk such nonsense to me," said I. "Nonsense! your honour; it's no such thing, at all at all; he was a mighty cunning chap when alive, and who knows what he has learned since he went dead?" All I could say, I could not induce this man to approach, till the corpse was lowered into the grave, and that half filled, when he at last ventured to look in, and said, "Fait! I believe you are snug enough now, joy." "Throw in a piece of earth as a signal that you part friends," said one of the men; but Paddy quickly replied, "No, no; that would be striking the first blow," and he went away immediately, no doubt full of apprehensions that he should some time or other receive a nocturnal visit from his comrade, who now slumbered in peace, secure in the cold grave from war's alarms. So much for superstition!

The next service upon which his regiment was employed, was the siege of the extensive and almost impregnable fortress of Asseerghur, the highest in the world, placed upon the summit of a rock 1,500 feet above the level of the plain. It surrendered without an assault, but our gallant officer was engaged to aid Gen. Watson, should the attempt have been required. The negotiation for the surrender, between the British officers and the killedar, "a great fat buffalo of a fellow, with enormous flitches of fat hanging over his hips," is related with a good deal of camp humour.

With the capture of this fortress our author's personal services in the field were closed. The regiment marched to Mhow, where they were most hospitably entertained by Sir John Malcolm, of whose facetiousness our author mentions an anecdote:

I should recommend all people subject to liver complaints to pay Sir John a visit, if opportunity favours them, and I would wager ten to one that, in one month, he would laugh most of them out of their complaints. I was myself suffering under a violent attack when I was his guest, and the smallest motion, more particularly that caused by laughter, was attended with most excruciating pain; but our host could almost make a dead man laugh. The consequence was, that I laughed to some purpose, for

I actually

I actually got rid of my complaint. Sir John generally made it a point of getting me close to him. He said to me one morning, "Shipp, did I ever tell you the story of my being invited to breakfast off a dead colonel?" I answered, "No, Sir John; nor are my poor sides in a state to hear it."—"Oh, but I must tell you: it's rather a serious story than otherwise." Finding there was no escape, I put both my hands to my sides (a necessary precaution to prevent them from bursting), and listened attentively. Sir John had a peculiar manner of relating anecdotes, which, for effect, I have never seen equalled, and a sort of squeaking voice, in which he generally spoke, especially when pleased, added greatly to the drollery of his stories. "I was invited to breakfast," said Sir John, "with a queer old colonel of the Bombay Artillery. This colonel was famous for giving good breakfasts, so I accepted his invitation, and went to his residence rather early, where I walked without ceremony into the breakfast-room. It is customary in India, when breakfast-things are laid, to throw a table-cloth over the whole, to keep the flies off. I thought it strange that I did not see a single servant; but I walked up and down the room, very contentedly, for nearly a quarter of an hour. At last I got quite hungry, so I thought I would help myself to a biscuit. For this purpose, I lifted the end of the cloth, and the first object that met my eye, was—the colonel's head!" Just at that instant Sir John Malcolm struck me a violent blow on the shoulders, which so startled me, that I really thought the dead colonel was on my back. From that time, however, I lost all symptoms of the liver complaint.

Mr. Shipp visited the curiosities of Indore and Ougein; from thence he proceeded to Saugar, where the division to which he belonged was broke up, and he went to Cawnpore, in July 1819, from which period to the year 1821, when he was raised to the rank of lieutenant, his time was spent in domestic quiet, and in the performance of station duties. An unfortunate difference with Major Browne, regarding some joint transactions in the Cawnpore races, led to Lieut. Shipp's trial before a court-martial, in July 1823, the result of which was, that he was sentenced to be discharged; the court strongly recommending him to mercy. The penalty was remitted by the Commander-in-chief, but our officer was removed to the half-pay list, and was compelled to embark for England, where he arrived in October 1825. He expresses a deep feeling of distress at this unfortunate event, which cut him off in the prime of life, and in the full career of hope, from that advance in his profession, which his character seemed to promise him.

A number of testimonials to the services of the author, expressed in flattering terms, are given in an appendix.

We should be doing injustice to the author and his work if we omitted to state that several very sensible and judicious dissertations upon topics highly important to the East-Indians,—officers, soldiers, mothers, &c., occur in different parts of the narrative. They evince much shrewdness and practical knowledge, and are not the least valuable portions of these amusing memoirs.

## Royal Asiatic Society of Great Britain and Ireland.

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*January 3d, 1829.*—The business of the special general meeting summoned for the 6th of December having been then adjourned, the consideration of the regulations proposed by the Council, on the proposed union with the Bombay Literary Society, was this day resumed, by Sir George Staunton, Bart., as chairman, giving a brief outline of the question up to the last meeting. He now acquainted the meeting, that the Council had, in the interval since the 6th of December, carefully reconsidered the subject, and made several alterations in the regulations proposed to be introduced, which in their present state were as follows :

(Between the present sixth and seventh articles.)

1. The Literary Society of Bombay is from henceforward to be considered an integral part of the Royal Asiatic Society, under the appellation of "the Bombay branch of the Royal Asiatic Society."

2. The Bombay branch shall be considered quite independent of the Royal Asiatic Society, as far as regards its local administration and the control of its funds.

3. The members of the Bombay branch, while residing in Asia, shall be non-resident members of the Royal Asiatic Society; and when in Europe, shall be elected resident members, in the same manner that honorary members are elected.

4. The members of the Royal Asiatic Society, while residing in Europe, shall be non-resident members of the Bombay branch; but when within the presidency of Bombay, shall be elected resident members, in the manner prescribed by the regulations of the Bombay Literary Society.

(Addition to the ninth article.)

—but the members of the Branch Society at Bombay are to be elected in the same manner as honorary members are elected.

(Proposed alteration of the fifty-eighth article.)

Every original communication presented to the Society becomes its property; but the author or contributor may re-publish it twelve months after its publication by the Society. The Council may publish any original communication presented to the Society, in any way, and at any time judged proper; but, if printed in the Society's Transactions, twenty-five copies of it shall be presented to the author or contributor, when the volume or part in which it is inserted is published. Such as the Council may not see fit to publish on behalf of the Society, may, with its permission, be returned to the author, upon the condition, that if it is printed, a printed copy of it shall be presented to the Society.

Major Smith opposed these regulations *in toto*; but as he did not move any amendment, the Chairman put them to the vote, and upon a show of hands they were declared to be carried.

The business for which the meeting was made special having been thus disposed of, the routine business of the day was proceeded with, by the reading and confirmation of the minutes of the preceding special general meeting.

Captain Dillon, who has recently arrived from a voyage among the islands of the Pacific Ocean to ascertain the fate of La Perouse, presented a considerable number of curiosities collected by him in that archipelago. Among them are several spears and clubs, very neatly carved; three bundles of poisoned arrows, one of which bundles is pointed with human bone; specimens of cloth and mat dresses; armlets and breast-plate; a cava bowl and spoon; a matrimonial pillow, formed of a bar of wood resting on a semicircular

cular support at each end; a green marble battle-axe; an adze made from a piece of the iron of La Perouse's vessel, &c. &c. Three natives of New Zealand, brought by Capt. Dillon, were in the meeting-room, and attracted much attention. Two of them were in their native dresses.

Among the other donations were some specimens of the Zund and Puhluwee languages, from the Literary Society of Bombay; from M. de Hammer, a copy of the work which provoked the attack of M. Senkowski and of M. de H.'s reply. Mr. Snodgrass presented a splendid and valuable copy of Dr. Russell's work on Indian Fishes and Serpents; and the Medical and Physical Society of Calcutta, a copy of Vol. iii. of its *Transactions*. The other donors were Professors Fræhn and Schmidt, Dr. Dorn, and the Medico-Botanical Society.

J. P. Thomas, Esq. having made his payments and signed the obligation book, was admitted a member of the Society.

A short paper, by the Rev. S. Weston, comparing the siege of Xanthus in Lycia with that of Bobilee in the Northern Circars, was read, and thanks returned to Mr. W. for his communication.

The first copies of Part i. Vol. ii. of the Society's *Transactions* were laid upon the table this day.

January 17.—At the general meeting this day, the Right Honourable Sir Gore Ouseley, Bart. V.P., presided; and the minutes of the last meeting having been read and confirmed, among the donations announced were the following: from the Hon. Court of Directors of the East-India Company, eighteen additional sheets of the large Atlas of India now publishing under its auspices: from Sir G. Staunton, Bart., a copy of the second part of his *Miscellaneous Notices of China*; from Mr. Greenfield, a copy of his edition of the Syriac New Testament; &c.

The following gentlemen were elected resident members of the Society at this meeting, viz. Rear-Admiral Sir Edward W. C. R. Owen, K.C.B.; E. A. Fouche, Esq.; J. W. Paxton, Esq.; Sir Richard Hunter, M.D.; Lieut. Colonel Harriott, of the Bengal army; Godfrey Higgins, Esq.; and Major Robert Thew. And the following were elected foreign members: their Excellencies the Danish and Swedish Ambassadors; Professors Kosegarten, Ideler, and Erdmann; and Mirza Alexander Kasem Beg, of Casan.

Lieut. Colonel Briggs then read an essay on the Life and Writings of Ferishta, the celebrated Mahomedan historian; a translation of whose great work, from the pen of Colonel B., will shortly appear.

The real name of Ferishta was Mahomed Kasim, and he was born at Astrabad, on the shores of the Caspian. His father's name was Gholam Ally Hindoo Shah, and at the age of twelve years he accompanied him on his journey to India. It is supposed that they reached Ahmednuggur in the Deccan, where Moortuza Nizam Shah was then reigning, about A.D. 1582. Gholam Ally was shortly after appointed private tutor to the Prince Meeran Hoosein, whom he educated with his own son. The latter was a great favourite with the king, and on his father's death received a commission in the king's guard. While in this situation, the violent conduct of the king (who was insane) towards his son brought about a revolution, which ended in the death of the former by suffocation in a bath, when the tide of affairs had turned in his son's favour; and led to the departure of Ferishta from Ahmednuggur to Beejapoor. The events which brought about this revolution are given by Colonel Briggs from the original narrative of Ferishta, and, with several other

other extracts introduced in the course of the essay, exhibited a very favourable specimen of the simple and perspicuous style of that historian.

It was about seven years after Ferishta's arrival at Ahmednuggur, that the event just alluded to compelled him to seek refuge at Beejapoor, the then sovereign of which state, Ibrahim Adil Shah II., was a minor, under the guardianship of Dilawur Khan. Shortly afterwards, the monarch of Ahmednuggur met the reward of the parricide of which he had been guilty. He was himself put to death, and his throne seized upon by one Jumal Khan; a war between the states of Beejapoor and Ahmednuggur, under its new ruler, followed; in the course of which the regent of Beejapoor was defeated, and Ferishta himself severely wounded. This affair occasioned a rupture between Ibrahim Adil Shah and his guardian, which terminated in the flight of the latter to Ahmednuggur, and the complete establishment of Ibrahim's authority.

Ferishta afterwards attended the daughter of his sovereign to Moongy Peitun in 1604, and was present at her nuptials with Prince Darnel, the son of Akber. Two years later he was sent on an embassy to Jehangir, the precise object of which is not known.

A translation of Ferishta's preface to his History follows in this part of the essay, and also a separate preface to his history of the kings of Beejapoor, explaining, that although he was at the time residing under the protection of that family, his intention was to write the truth in simple and unadorned language, and not to heap fulsome encomiums on its ancestors, or misrepresent acts for the purpose of obtaining pecuniary rewards; and the truth of this assertion is illustrated by the introduction of an anecdote from the life of Ibrahim Adil Shah, in which that prince's character does not appear in a very amiable point of view, but which is fully and fearlessly narrated by the historian.

Colonel Briggs next introduces some observations on the qualifications of Ferishta as an historian, and gives a rapid outline of the contents of his work, which, he observes, is peculiarly valuable, as affording the means of tracing the causes of those great and sudden revolutions which are recorded in the history of the sovereigns of India.

Ferishta is conjectured to have died about A.D. 1612, and to have been buried at Nowrus, a city which Ibrahim Adil Shah II. erected about three miles from Beejapoor. In neither of these cities, however, is there any monument or other memorial of this eminent historian; and, adverting to this fact, Colonel Briggs concluded his essay by applying to him the beautiful epitaph written by Milton to the memory of Shakspeare.

The thanks of the meeting were given to Colonel Briggs for the communication of his interesting papers and the meeting then adjourned to Saturday, the 7th of February, at 2 o'clock.

## VARIETIES.

## MADRAS BRANCH OF THE ROYAL ASIATIC SOCIETY.

The Right Hon. the Governor of Fort St. George gave a grand party to many of the principal persons of the settlement on the 29th July, at which the three judges, his Excellency the Commander-in-chief, Mr. Ogilvie, Mr. Taylor, the Venerable the Archdeacon, the Advocate-general, Mr. Grant, Colonel Conway, Colonel Otto, Colonel Coombs, Captain Studdert, R.N., and about fifty other gentlemen were present.

The chief object of the dinner was to suggest the institution at Madras of a branch of the Royal Asiatic Society of Great Britain and Ireland.

After dinner, Mr. Lushington rose, and stated that before he left England a deputation of the Royal Asiatic Society, consisting of some of its most learned and distinguished members, Mr. Colebrooke, Dr. Wilkins, Sir Alex. Johnston, and others, did him the honour of waiting upon him to request, that on his arrival at Madras he would use his influence in promoting the objects of their institution. He understood their wish to be that he should use his endeavour to organize a Society at Madras of a nature nearly similar to their own, constituted in the same way, and having for its end precisely the same objects. From papers which had since been sent out by a committee of the Royal Asiatic Society, he imagined that they had in some measure limited their original views, or, at all events, that they conceive greater usefulness might be attained by the formation, in the first instance, of a Society at Madras to correspond with their own Committee of Translation. For this purpose they had requested him to unite with the president of the Madras Literary Society, in selecting from that Society and the body of the different services such persons as are most likely to give effectual aid in furthering the important objects they have in view. The objects to which they wish the attention of the new Society to be chiefly directed are the translation of works in the Arabic, Syriac, and Persian languages, which above all may tend to throw light upon the original Hebrew text of the Holy Scriptures, which may supply the breaks in the connexion between the history, arts, and sciences of Asia and Europe; and of treatises existing in those languages, which it is hoped may restore many mutilated passages in the Grecian authors, and in some cases add to our stock of knowledge the works of Greek

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authors, the existence of which has merely been conjectured. The Royal Asiatic Society, however, did not wish these labours to be confined to the work of translation; they also hold out high encouragement for the composition of original essays, illustrative of the history and manners of the natives inhabiting the peninsula and the south of India, and the eastern archipelago. Such being the objects of this Society, it was obvious that whoever was to be president of it, ought to be a person well skilled in the oriental languages. In looking round him for a person possessed of this qualification, they would not be surprised that his own choice should have rested upon the Venerable the Archdeacon, whose attainments in the languages of the east are only equalled by the fame of his great talents and extraordinary acquirements in the ancient and modern literature of Europe.

After much diffidence and reluctance on the part of the Archdeacon, Mr. Lushington was happy to say, that he had persuaded him to accept the office of president; and he felt that the foundation of this institution was well laid in this choice, and was confident that the archdeacon's consent would be hailed with the most cordial satisfaction. Having secured so admirable a president, the next thing to be done was to procure a secretary, in whom should be united a portion of the same knowledge of oriental languages, the same ardent love of knowledge and zeal for its promotion, and, what would make him of the greatest use to the Society, who should possess a degree of influence, from his confidential intercourse with the government, that should ensure the promotion of all such portions of the Society's designs as may depend upon the due assistance of the government. The Venerable the Archdeacon having been pleased to express his concurrence in the nomination and qualifications of his (Mr. Lushington's) son, he hoped he should be forgiven for saying, that he would not have proposed a person so nearly connected with himself, if he had not known that he possessed all the qualities necessary for the useful execution of the duties of the office.

Having thus provided a president and secretary, he hoped he might look to the assistance of the Hon. President of the Literary Society in the selection of fit persons for the Committee of Papers, and in contributing to promote all the other useful objects of this institution.

*It only remained for him to assure them that it would be his own pride to give all the aid in his power, either by advice or by any pecuniary contribution, which his own means might enable him to supply for the promotion of the highly interesting and important purposes of the association.*

For the present he would only propose to them to drink success to the Royal Asiatic Society of Great Britain and all its branches, and particularly that about to flourish under their auspices at Madras.

This toast was received with great cordiality. After a short pause, the Venerable the Archdeacon rose, and spoke in nearly the following terms.

Sir: The distinguished honour which you have done me in nominating me to the chair of such an institution cannot be received in silence, and yet I am sure you will believe me when I say, that on no occasion have I ever felt greater embarrassment in expressing my feelings. At all times and under all circumstances I must have felt this; but it is much increased on the present occasion by the recollection of the short time that has elapsed since my arrival, that I am comparatively a stranger to many whom I have the honour of addressing, and above all by the conviction, which is most unfeigned and sincere, of my inadequacy to fill the office you have assigned to me. Many of those whom I see around me are more competent to its duties, and I should be consulting more the fame of the infant institution, and certainly my own reputation, which must suffer in so prominent a post, if I shrunk altogether from the honour you intend me. Yet, I feel it impossible to decline the office when thus called on, and it is only left me to assure you of my anxiety to meet its duties to my best ability. I yield certainly to no one in appreciation of the objects proposed to us, and in ardent desire for their promotion. They are such as not only to promise great and beneficial results to India and our own country, but they unite all that is admirable and just in the learning of Europe, with all that is curious and interesting in the researches of the East; and while they lead us to new fields of inquiry, revive our recollections of those early images of classical beauty which formed the delight of our boyish days. It will be our duty to trace not only the external history of eastern nations, but the growth of their civil and religious institutions, their internal arrangements, and mutual connexion; in a word, the philosophy of nations. It will be our duty to explore the treasures that may be yet undiscovered of Arabian science, either translated or original, and to extend our researches to the natural history of the peninsula, and espe-

cially to the geology of this vast range. It will be our duty to add still further light to a subject, after all the labours of our predecessors by no means exhausted, the mythology of India, and to trace the analogy, which every new inquiry makes more striking, between the fabled deities of India and Greece. In no part of India is this coincidence more conspicuous than in the south, and it is here perhaps that the great charm and interest of this institution will be found, for the mind familiar with classic recollections. There are a thousand points of resemblance, which must often have occurred to your mind, which carried you back to other scenes and other days, whose memory may slumber but can never be obliterated from the mind; to the poetry of Greece and Rome, and to that beautiful machinery, which, however false, still keeps its hold on our love and admiration; to those images of ideal beauty, those airy nothings, which floated through our young imaginations like the wreath of a morning cloud, and formed the drapery of our minds in early youth, and gave their forms and colour to our maturer years. I could not traverse the plains of southern India without recalling at every step the Olympus of Homer, and in all I saw around me I was reminded of the very manners and habits of his active and conflicting gods. I approached a temple, and from the few attendant priests I inquired where were the inferior objects of worship, and was informed that they had departed some days before on a visit of ceremony to some neighbouring or distant shrine. I asked for the chief idol, to whose honour the temple was dedicated—his shrine was empty; he had gone to feast with some friendly or rival power, in all the pomp and pageantry of his shadowy greatness; or perhaps the sacred litter was prepared, the car was harnessed, or, still more to show the life and action of the system, the sanctuary itself was yoked to its gigantic horses, as if ready to bear it with all its regal splendour to some other region of power and worship. How could I see this and not revert to the elder days of Grecian fable, and seem to hear again the well known answer of Thetis to her sorrowing son, that Jupiter with his attendant gods was gone to the shores of the ocean to banquet with the Ethiopians? Many such instances, gentlemen, have doubtless occurred to your own observation, and have carried you back to the similar, but infinitely more beautiful, theology of Greece and Rome. These paths it will be our duty to explore, and you will forgive me, Sir, for saying, that in this connexion of present objects with early studies, I discover the reason of that kindness which would assign me so honourable a post. From the mome-

you

you did me the honour of proposing it, I searched in vain for some motive that could have influenced you, till I remembered that I had the happiness of drawing my first elements of classical knowledge, and whatever share of taste in such pursuits I have ever felt, from the same source with yourself and my learned friend opposite (Sir Geo. Ricketts), who adorns the profession of which he is so distinguished a member. You very naturally wished to make your own recollections still stronger by placing a Rugboan in the chair; and where stronger reasons were manifestly wanting, you yielded to that filial attachment to our common parent, which, however strong in our native country, appeals more powerfully to the heart in our eastern banishment, separated as we now are by such intervals of time and space from her maternal home.

In the field you have opened to us, India has already produced great and splendid names to stimulate our exertions and animate our hopes; one especially, whose name should never be passed over in silence on an occasion like the present, and who can never be mentioned without his due meed of praise and admiration: I mean Sir William Jones. No man ever brought to this country so large a share of native genius and European taste, united with so much devoted interest to all literary pursuits. No man ever traversed so wide a field of learning, or amassed such varied stores of knowledge, and who was so capable of adorning whatever he attempted; there was no point of learning, of science, or of art, which he touched, but he attracted to it the admiration of others also, by the harmless, but electric fire, which his genius had shed around it. I confess I cannot bear that the hand of ruder, though more learned criticism, should detract at all from his high and well-earned reputation, or tear one leaf of that laurel which India and Europe have alike conspired to place upon his brow. I have no sympathy with the coldness of that criticism, which can search through the volumes of such a scholar to detect a fault of grammar, or an oversight in construction. If he attempted too much, it is the fault of a generous spirit, and his very faults may easily be forgiven for the cause; but for the attention which he first excited to the stores of Asiatic research, for the success with which he explored the mines of eastern learning, and the zeal with which he led others to explore them, India and England still owe him a debt of gratitude not easily repaid. It must not, however, on any such occasion as the present, be unacknowledged; for in the formation of such an institution we are filling up the outline of his wishes,

and adding our homage to the light and lustre of his literary name.

For promoting the objects of such a Society, Sir, I must repeat my conviction of my own inadequacy; and yet with your powerful and illustrious patronage, powerful not less from your official dignity than from your known zeal in the objects of our association, I cannot but be sanguine in my hopes of success, especially since you have so kindly shewn your interest in the cause, by naming your son to the office of secretary,—an office on which all our success depends,—and he with equal kindness has accepted that important office. There is not one, I am sure, of those who are present who will not heartily concur in the feeling, that the settlement could not have supplied a man more admirably calculated for the trust. His attainments, both in western and oriental learning, are alike on record; and we need only to mention the name of our secretary to insure to our association the confidence of the parent society, and to give a pledge to the world that we shall not be a useless and inefficient body.

The liberal promises of support, both in your public and private capacity, which you, Sir, have so kindly given, are guaranteed by this last appointment, and I am sure that it will be as agreeable to the Society in general as to myself. On my own part, allow me once more to thank you for the honour of this selection, and to express my resolution of doing all in my power to perfect the work which has been placed in my hands.

After other toasts, it was agreed that a meeting of the gentlemen then present should take place in the banqueting-room (which the governor had allowed to be used as a place of meeting for the Society), on Thursday the 7th August, for the purpose of considering the future proceedings of the Society.

Pursuant to notice, a public meeting was held at the banqueting-room at the presidency, on the 7th August, at eleven o'clock, for the purpose of organizing the proposed auxiliary branch of the Royal Asiatic Society of Great Britain and Ireland, and of considering its future proceedings.

The Venerable the Archdeacon, as president, being called to the chair, moved the following resolution: "That a Society be now formed, to be denominated the Madras Auxiliary of the Royal Asiatic Society of England and Ireland." After the clear and able manner in which the Right Hon. the Governor had at their last meeting detailed the objects of their proposed association, there was little occasion for him to enter again upon a statement of those objects.

After reading part of the prospectus published by the Royal Asiatic Society at its



its institution, the Archdeacon continued:

As from what he had heard in conversation from several gentlemen, he was apprehensive that a mistake had gone abroad as to the relation which the Oriental Translation Committee bears to the Royal Asiatic Society, and as to the nature of the connexion which a committee, formed here according to the wishes of the Oriental Translation Committee, would have with the Royal Society, several gentlemen appearing to imagine that by becoming members of the Royal Asiatic Society they must necessarily become members of the Translation Committee. He wished to state his own idea, which he believed to be the correct one, viz. that this inseparable union was by no means necessary. The "Oriental Translation Committee" did indeed contain many of the members of the Royal Asiatic, and was intimately connected with it in several ways, the Royal Asiatic giving it the benefit of its rooms and library, and assisting in other ways; but the Translation Committee had special objects of its own, independent of the general designs of the Royal Asiatic Society, and it was quite optional with members of the Royal Society to belong to it or not. In the same way, members of the Madras Auxiliary might or might not, as they thought proper, subscribe to the Oriental Translation Committee in England. He stated this because it might be injurious to the cause, if gentlemen supposed that in becoming members of the Auxiliary Society, they would be called upon to incur the heavy additional expense of 100 rupees per annum, besides what it might be necessary to subscribe to the main Society.

It is obvious from the 15th article of the prospectus, that there is no obligation to subscribe to the "Translation Committee," but any individual or institution subscribing "ten guineas or upward annually, will be entitled to one fine paper copy of every work translated, printed and published by the committee." The president then expatiated at some length upon the general designs of the institution, in a strain of very striking eloquence, and concluded a luminous and interesting address under warm applause from the meeting.

The Hon. the Chief Justice next rose, and, on seconding the motion, begged to assure the Society that, as far as lay in his power, he should have the greatest satisfaction in furthering the objects of the institution.

The president went on to read the second resolution, viz.

That the Right Hon. the Governor be requested to become the patron of the Society.

Seconded by Sir George Walker, and warmly concurred in by the meeting.

The third resolution, moved by the president and seconded by Colonel Conway, was, that the following gentlemen be requested to become vice-patrons of the Society:

The Hon. the Chief Justice,  
The Hon. Sir George Walker,  
The Hon. Mr. Ogilvie,  
The Hon. Mr. Taylor,  
The Hon. Sir Robert Comyn,  
The Hon. Sir George Ricketts,  
The Advocate-General,  
The Chief Secretary.

The fourth resolution, moved by the Hon. the Chief Justice and seconded by Mr. Clive, was to the following effect:

That the Venerable the Archdeacon be the president, and James Lushington, Esq. the secretary of the institution.

Upon which the Archdeacon rose to express his deep sense of the manner in which they had confirmed the nomination of the Right Hon. the Governor at the preceding meeting. Much as he felt that their choice might have fallen upon a person better qualified for the office, they might assure themselves that no exertion on his part should be wanting to fulfil the duties to which he had been called. He regretted too that his duty obliged him, so immediately after his elevation to so honourable a post, to desert those who raised him to it, but he would not be idle during his tour; he should consider himself as upon a mission from them, and should use every means in his power to forward the purposes of the Society.

Mr. J. Lushington said, that if the Venerable President, whose qualifications for the office he had undertaken were so universally allowed, considered it necessary to disclaim the possession of those qualifications, it was much more incumbent upon him (Mr. L.) to acknowledge his own inefficiency and incompetency to the office which their kindness had bestowed upon him. All that he could rely on to supply those deficiencies were zeal and attention; and he had this consolation, that if he did commit any fault, they would be forgotten in the splendour of their presiding luminary.

The president went on to the 5th resolution.

5th. That the affairs of the Society shall be conducted by a "Committee of Management," consisting of the vice-patrons, the president, the secretary, and thirteen other persons, to be chosen annually by ballot at the anniversary meeting; and

6th. That the following gentlemen be members of the "Committee of Management" for the present year:

Mr

Mr. Chamier,  
Mr. Macleod,  
Mr. Thompson,  
Mr. Cochrane,  
Mr. Oliver,  
Colonel Cadell,

Dr. Roy,  
Mr. Aitken,  
Major Keighly,  
Mr. J. Walker,  
Colonel Ormsby,  
Dr. M'Cabe,

and last, though not least, gentlemen, said the archdeacon, is a gentleman whose name you will, I am sure, hail with the greatest satisfaction, in the propriety of whose selection you will at once coincide, as well from his general reputation for love of literature, as from his connexion with the Royal Asiatic Society, and the ardour with which he has undertaken to promote its interests in this country—I mean Colonel Coombs. Colonel Coombs, gentlemen, has the advantage of being the confidential agent of the Royal Asiatic Society, and his accession to our Society will be a pledge of its unity of object with the parent Society to which he belongs.

Seconded by Mr. Clive.

7th. That the Committee of Management shall appoint a "Committee of Correspondence," consisting of a chairman, eight members, and a secretary, with power to add to its members and fill up vacancies.

8th. That the duty of the Committee of Correspondence shall be, to receive intelligence and inquiries relating to the arts, sciences, and literature of Asia, with especial reference to the objects of the Oriental Translation Committee in London, and to report their proceedings quarterly to the Committee of Management.

Seconded by Colonel Conway.

9th. That the Committee of Management be requested to take immediate steps to make the objects of the institution generally known throughout the presidency of Madras, by circulating the copies received from the Society in London of their prospectus, and by such other means as shall seem to them advisable.

Seconded by Sir Geo. Ricketts.

10th. That government be respectfully requested to allow all letters on the business of the Society, franked by or addressed to the president or secretary, with their official designations, to pass free of postage.

The president said, that he had thought it better to make the resolutions as general as possible, merely to give the Society an existence, and let the Committee of Management at its next meeting draw up more detailed regulations.

Lieutenant-Colonel Coombs rose and addressing the chairman said, that as a member of the Royal Asiatic Society, and perhaps the only one then present, he took the liberty to offer a few words to express the high gratification and delight with which he, as an individual of that

body, had witnessed the proceedings of this day; and to assure them, as his intimate knowledge of their sentiments entitled him to do, of the cordial satisfaction with which the Royal Asiatic will hail the intelligence of what has this day been effected, and will welcome this association as an auxiliary branch of itself. The objects the Royal Asiatic have in view in inviting the co-operation of the Societies in India had, he observed, been so fully, so ably, and so accurately described by the venerable and learned Chairman, that it would be wholly superfluous to expatiate further upon them. Unaccustomed as he was to public speaking and to address so numerous an assembly, he (Lieutenant-Colonel C.) felt great embarrassment in this unexpected call upon him, arising out of the flattering notice with which the learned president had been so kind as to introduce the mention of his name, and the not less kind manner in which the meeting had been so good as to receive it. He was, he said, deeply sensible how little claim he possessed to the distinctions conferred upon him, both by the Royal Asiatic and the Society now formed, pretending to no qualifications beyond a lively interest in the great objects of the Society, and an anxious zeal and hearty desire to promote them. It was to a too partial appreciation of these feelings and of the wish to make himself useful, and to no other pretensions, for he was not an oriental scholar, that he owes the confidence with which the Society of London has honoured him, by making him the channel of their communications, and empowering him to state their views. He would only add, that with his grateful and respectful acknowledgments for the honour now conferred upon him, it should be his earnest endeavour to serve the cause in this country to the utmost extent of his power, and to render himself as useful as he could be made, under the direction of his more able coadjutors, in carrying into effect the objects of the association.

Sir George Walker moved, that the thanks of this meeting be given to the president for his able and judicious conduct in the chair.

The Venerable the Archdeacon in returning thanks said that they had conferred another favour upon him in addition to the many he had already received from the Society at Madras, which must bind him still closer to it; and that he was incurring a large debt of gratitude, which he knew not how to repay, but by devoting all the abilities he possessed to their service.

The gentlemen present were then requested to set down their names, and the meeting broke up.

## ASIATIC SOCIETY OF CALCUTTA.

The Physical Committee of this Society met on the 1st August; James Calder, Esq. in the chair.

An extract of a letter from Dr. Leslie was read, on the subject of some fossil bones of an elephant, recently discovered by Dr. Duncan. The remains were found about three miles up the river above Culpee, and on the opposite side. At the time they were seen there was not a long bone whole. The parts sent are portions of the femur, or thigh bone, and of a tusk, the laminated structure of which is very distinct. The fragments lay about forty yards from the edge of the water, then very low, but which, during the rains, must evidently overflow the spot to an equal or greater extent. They appeared but superficially imbedded in the slightly adherent earthy stratum, deposited by the waters on a bottom of konkur, of which the bed and banks of the river are there composed.

The secretary then read some observations on the geological appearances and general features of portions of the Malayan peninsula, and of the countries lying betwixt it and eighteen degrees of north latitude, by Captain Low, of the Madras army.

The grand characteristics of the Indo-Chinese regions seem to be alternate ranges of hills, stretching nearly north and south, and conforming occasionally to the direction of peninsula tracts, and of valleys of various breadths, through which flow large rivers. The principal ranges are that which divides Assam from Ava, then the Siamese and Ava range, next the Siamese and Cambojan, and again the Cambojan and Avian range. None of them, however, can be compared in height to the secondary ranges of those lofty Himalayan mountains, from which they are evidently offsets. The broadest valley seems to be that of Ava, and the narrowest that of Camboja. The Indo-Chinese ranges are, as far as is yet known, covered by deep forests, and, therefore, their structure can only be conjectured from the ravines formed by torrents, and which are but occasionally accessible, owing to the wildness of the countries and the barbarous hordes which inhabit or infest them.

Captain Low begins with that part of the Malayan peninsula lying in about 4° S. latitude, keeping on the west coast. This is the Perak country, which is governed by an independent Malay chief, in alliance with the British. At the entrance of the Perak river are the Boonting islands, hilly with rocky shores; granite seems to be the prevailing rock. The plains of Perak are chiefly alluvial up to the line, where a marked ascent towards the central range is discernible, and which

may, perhaps, be averaged at fifteen miles from the sea. Gold has been found in the beds of some of the mountain torrents which join the Perak river. From specimens of ores of gold found in the hills east of Malacca, it would appear that the matrix is most frequently quartz; and although we cannot distinctly prove that the Malacca peninsula was the golden Chersonese of the ancients, it certainly yields at this day gold in sufficient quantities to render the assumption probable. Tin is also found in abundance, the native workmen seldom digging above ten or twelve feet below the surface, and often simply washing the soil taken from the beds of rivulets, and separating the oxyd of the metal, in the shape of a black sand. The oxyd of antimony is likewise obtained in large quantities among the hills, and lime is said to be procurable. From Perak northwards to Penang the coast is level. Penang itself exhibits an almost exclusive granite formation, and marble is reported to be found in a north-east direction, but no specimens have been obtained.

That portion of the Kedda coast facing Penang has evidently, in many parts, been rescued from the sea, large quantities of sea-shells being found about two miles inland. The Kedda peak is said to contain gold, and tin ore was formerly obtained from it in abundance. It also produces various ores of iron.

Passing the mouth of the Kedda river, which takes its rise in the central range and fertilizes an extensive tract of rich soil, the first object which attracts attention is the elephant rock, a short distance north from Kedda. It is a dark mass shooting abruptly out of the forest to the height of about 400 feet.

The coast continues low from the northward of the point. The first decided indication of the presence of lime was observed in a perforated rock lying off the north-east side of Pulo Trotto. Several miles to the northward the Trany rocks begin. One of them, visited by Captain Low, is a huge mass of heterogeneous rock, rising out of the sea, to the height of about 300 feet, in shape an oblong square, rendered inaccessible by cliffs; it appeared to rest on a granite base, coloured by various admixtures. At the south end, about half-way up the cliff, there are magnificent natural arches, and the grotesque calcareous embellishments which hang immediately over the entrances to these arches, give to the whole the appearance of an old gothic ruin. A cavern has been formed quite through the north end of the rock, by the action of the sea below, and the gradual decay of the strata above. A boat conveyed Captain Low and his companions into the centre of the cave, which is gloomy, though

though the roof is about fifty feet high and dome-shaped. Here were observed flimsy ladders of flexible cane, stretched between projections of the rock and emerging from the cavern. Similar ladders were seen to have been arranged up the face of the cliff in a zig-zag manner, in one place fastened to a jutting point of rock, and in another received through a perforated angle. These had been thus contrived by adventurous Malays, in quest of the edible birds'-nest. Their trade is even more dangerous than that of the samphire-gatherer, or the Hebrides birder, but it is more profitable than either. Several of the birds'-nest islands in this line have been so tortuously hollowed out by the slow operation of ages, that previous to going in, the nester fastens to the entrance the end of the clew he takes with him that he may not lose his way. On these occasions they use dammer torches. The eye of the swallow, which builds these nests, must be peculiarly framed to enable it to work and nestle in such a labyrinth, where total darkness prevails.

There is another rocky island adjacent, a most singular aspect, from a series of peaks which rise from it, and which resemble the chimneys of a glass manufactory. These islands are adorned by numerous flowering shrubs and trees, and are frequented by the white sea-pigeon, and birds of passage. Oysters are abundant. Pulo Tillibou, which forms the northern side, exhibits granite and iron stone. It appears that the lime formation becomes more compact and pure as it is followed in a northern direction. In one of the caves were observed twelve skulls, laid out in a row. They were said by the Siamese to be crania of Burmese, slain in those wars when they attacked and destroyed Tillibou. Part of the stockade which surrounded the town was still standing when Captain Low visited the spot in 1824, about fourteen years after the event in question.

Most of the small islands lying between Trany and Junk-Ceylon seem principally composed of granite. The tin formation seems to run in a continuous line from the southern extremity of the peninsula up to about 15° north latitude, beyond which neither the Siamese nor Burmese have discovered any mines. At a place, about 20° north and longitude 99°, tin ore occurs in beds of streams mixed with sand. The natives do not dig mines to get at it, owing, perhaps, to its being of little value at such a distance from the coast. They have, however, by their own accounts, valuable lead ores, which they reach by deep shafts.

In Captain Forrest's time, when Junk-Ceylon was visited by numerous native traders, the mines yielded an average of 500 tons per annum. But as the popu-

lation has since decreased to about 6,000 souls, and the Siamese have mines closer to their capital, a very small supply only is now taken from the island, perhaps about 100 behars of 466 lbs. each. The Chinese smelter told Captain Low, that he could afford to produce it at one-half the market price. The miners dig pits of from twelve to twenty feet deep, but seldom venture upon a lateral shaft. The ore is generally in round or oblong masses, with well defined crystals, and in a matrix of quartz, or bedded in masses resembling half-decomposed granite, yet of considerable hardness. The furnace, in which the pounded ore is smelted, is made of clays and earths, of oblong shape, and about three feet high. Alternate layers of ore and charcoal are put into it, and the usual horizontal tube bellows of the Chinese is kept incessantly at work during four complete days (of twenty-four hours) and one night, when the furnace is cleared out. After some hours of further labour the tin appears, and is run into moulds, and the furnace is again supplied with ore and fuel.

The bay of Phoonga, stretching north-east from Junk-Ceylon, is remarkable for its magnificent rocks, which, at the distance of ten miles, appear like huge artificial pyramids; but on a near approach their outlines change to columnar or massive. The principal rocks occupy a line of about ten miles, the northern extremity lying behind the town and valley of Phoonga. They do not seem to exceed 500 feet in height generally, and seldom fall short of 200. Captain Low supposes their composition to be primary limestone, and, like the rocks already noticed, exhibit no traces of organic remains. The valley of Phoonga is about three miles long by one in breadth. The population may be estimated at 8,000 souls, including 600 Chinese and about 100 Siamese priests of all ages. Passing to the northward of Junk-Ceylon the coast is bold, and there are numerous perforated calcareous rocks, frequented by the edible birds'-nest gatherers. Tin abounds between Junk-Ceylon and Mergui. The coast of Tenasserim, from about ten to twelve and a half degrees north, is shut out from the ocean by high and generally rocky islands. Domel is a fine island, twenty miles in length by twelve in breadth, with a rocky coast. Instead of the marble found here by Forrest and taken in as ballast, Captain Low only met with smooth quartz, which had been associated with slate. There is a considerable opening north of Domel, where a distinct archipelago of the black rocky islands begins, which is not laid down in the charts. Several birds'-nest rocks are scattered among this groupe. Pearl oysters are occasionally picked up, but the

the pearls obtained from them are seldom of much value. These islands have no fixed population; they are visited constantly by a tribe, whose families rove about collecting birds'-nests, the dammer, beche-de-mer, wax, scented-woods, and other productions of the islands. They live in covered boats, and appear to be inoffensive.

The conclusion of this geological essay will be adverted to in our next report of the proceedings of the Physical Committee.—*Cal. Gov. Gaz.*

#### MEDICAL AND PHYSICAL SOCIETY OF CALCUTTA.

A meeting of this Society was held on the 2d August.

Mr. Martin submitted for the inspection of the meeting three skulls of New Hollanders and natives of Van Diemen's Land; one of which, that of a female, shewed several extraordinary depressions in the back part, and caused, as stated, by the practice of the singular custom which prevails in New Holland of making love by club-law. A specimen of the sort of club or weapon was likewise exhibited, with which the lover assaults and knocks down his mistress on these occasions. From the appearance of the depressions, in this instance, it seems inconceivable how the individual can survive under the infliction of such injuries.

The following papers were read by the secretary, and discussed by the meeting. Mr. Young on the drancunculus; Mr. Raleigh on cataract; Mr. Shore on the climate of the Dhoon; and Dr. Adam on the existing epidemic among children.

The drancunculus was extracted from the leg of a horse on the 27th of June, in the following manner. Having laid hold of the presenting end of the animal with a forceps, Mr. Young directed a powerful stream of cold water to the leg from two bheestee bags. So long as the pouring was kept up, the extractive process was exceedingly easy, but whilst the bheestees were replenishing their bags, he found the worm fixed and immovable. However the operation was accomplished in about fifteen minutes. The worm measured thirty-three inches.

In Mr. Shore's paper on the Dhoon, is stated the following fact:

Concerning lightning, the people in Gurlwal, bordering on some parts of the Dhoon, have a strange notion. If any person, standing close to a place where lightning falls, should be able to throw water upon it, the electric fluid would then be prevented from returning to the sky, which they believe to be the usual course of nature, and a lump of gold, about a cubit long and as thick as a man's arm, would be found on the spot.

Mr. Lindesay describes the native ope-

ration for the stone, having seen it performed by a hakeem, who said that he had lost only fifteen or sixteen patients out of 150. His only instruments were an old lancet, a small folding knife, and a piece of unpolished iron, about the size of a common drawing-pencil, having one end coarsely scoop-shaped. The patient was a boy of about seven years of age. Mr. Lindesay gave him a double-edged scalpel, which he used instead of the knife, and the operation was completed in two minutes. The calculus was of a flattened oval shape, larger than a pigeon's egg.

Mr. Walter Raleigh gives an account of three cases of extraction of the lens for cataract, unattended by the necessary natural inflammation. From this cause one of the cases failed; the subject was a native, aged fifty-five, the eye seeming to perish for want of action after the operation was performed. The second case was a native, aged fifty, who had been blind ten years; but after the operation there was no inflammation or pain. In order to excite the necessary action, Mr. Raleigh dropped on the globe and beneath the upper and under palpebræ about twenty grains of common black pepper (ground), which produced a profuse flow of tears; and applied a poultice of bread and water, in which was mixed a large spoonful of the same ground black pepper, over the eye-brow, temple, and cheek, administering bark internally. This was repeated, and on the next day inflammation had come on, and a sensation of burning experienced. From this treatment, adhesion of the edges of the divided cornea rapidly followed; the case pursued a regular course, and good vision was restored. The third case was an old native woman, about fifty-five, and blind three years. There was the same want of action as in the preceding case after the operation. A strong solution of the nitrate of silver was dropped upon the globe, and a pepper-poultice applied over the eyes. The necessary inflammation was produced, and the case proceeded to a successful termination. About three months after the operation her vision was as good as it ever is without the aid of a lens, natural or artificial.

From the experience Mr. Raleigh has had in India, he is of opinion, that although the operation for the extraction of the lens, if successfully performed, affords the most satisfactory results in Europeans and natives of a robust and healthy constitution; in those of an enfeebled and debilitated habit, whether from age or disease, the operation for depression is preferable; and that in cases where extraction has been performed, and is not followed in the course of twenty-four hours, or, at most, thirty-six hours, from the period of operation, by necessary

sary inflammatory action, stimulants should be had recourse to, and persisted in until active and sufficient inflammation does take place, to throw out adhesive matter to unite the divided cornea: the inflammation is easily controlled by the removal of the exciting cause.

The existing occurrence of an epidemic febrile affection among infants and young children, of rather a peculiar nature, has occasioned considerable distress and alarm in Calcutta. Dr. Adam observes that, as far as his own experience goes, not a child under four years of age has escaped, and the general character of the disease has been in all the same. In its approach the complaint is slow and insidious, but most violent in what may be called its onset. It has generally been stated by the mother or attendants, that the little patient had suffered for a day or two from a cough or cold, but which was too slight to attract particular notice. Suddenly fever came on, and it was only then that they deemed it necessary to ask for medical advice. In this stage of the disease the skin was burning, the pulse upwards of 120 or 130, and the heart beating with unusual violence. In only one case, Dr. Adam has noticed any redness of the conjunctiva, with watery eyes, and sneezing in two, such as occurs in rubeola and catarrh. There was no flushing of the face, but rather a degree of paleness; in some, considerable restlessness, but in others very little disposition to move, and apparently no cause of disturbance whatever. Great drowsiness has been observed in some from the commencement, which has continued, more or less, during the existence of the fever. In a majority of the cases there has been great oppression of the respiration. This, indeed, has formed the character of the disease, and in all, perhaps, has existed to a higher degree than the external signs indicated. Some, when first seized, have breathed with much difficulty, as if the air in its passage through the brouchia was obstructed by the presence of thin or fluid mucus; differing on the one hand from the loud ringing noise of croup, and on the other from the contracted wheezing of asthma. In some again this noise in breathing was at first so obscure as hardly to be perceived. In the fatal cases which have come under Dr. Adam's observation, this symptom of difficult respiration has gradually increased with the progress of the malady, and the child has appeared at last to die of suffocation. This conclusion has taken place in the short space of twelve hours from the time the child was considered in danger; but, generally, not till after the second day of the disease. The oldest child treated by Dr. Adam did not exceed four years, and the youngest not two

months. Of two fatal cases one was only three months old, and the other seven months, and from all accounts the epidemic has proved infinitely more severe and fatal to the infant than to the older subject. Dr. Adam is not aware of any death that has occurred beyond eighteen months. The treatment was mainly confined to leeches, antimonials, and calomel, in degree according to the urgency of the symptoms. It was observed, that medicine produced an immediate abatement of the disease, in those cases which happened to terminate favourably.—*Ibid.*

#### GEOGRAPHICAL SOCIETY OF PARIS.

At the general meeting of this Society, on the 5th December, M. Cuvier presided, and in his character of president delivered a discourse, in which he passed a high eulogium on his native country for its ardour in the career of geographical discovery, and took occasion to advert to the striking example of the influence which may be produced by encouragements held out by the Society, in the case of M. Caillé, the French, traveller, returned from Timbuctoo.

The secretary-general, M. Larenaudière, read an account of the labours of the Society during the past year, and the steps taken by it to diffuse a knowledge of its objects and rules throughout foreign countries. After paying a tribute of thanks to the learned Societies of England and America for their useful co-operation, he gave some details respecting the discovery of the perfect manuscript of Edrisi, by M. A. Jaubert, and the translation of it by that learned orientalist. The secretary then pointed out the rapid progress of geography as a science, and the improvement visible in geographical works at the present day, which are rendered more popular. He next proceeded to speak of the loss the Society had experienced in M. Chloris and Gen. Andreossi, to whose respective memories he paid a tribute of regret. He concluded with a rapid glance at the geographical results of the journey of M. Caillé.

M. Jomard then made a report from the special committee appointed to consider the last-mentioned subject. He was heard with the most lively and uninterrupted attention. After stating the grounds which led to the conviction of the committee, especially the coincidence between the accounts given by the traveller and those of his precursors who are the most exact and to be relied upon, and after stating that the journal of M. Caillé comprehends an itinerary continued without interruption from the Rio Nunez to Tangiers, the reporter exhibited a brief sketch of the results of this expedition, sufficient to raise, but not satisfy, the curiosity of his auditory. He

enumerated the chief places visited by the traveller, during seventeen months, in a space of about 1,000 miles; his embarkation at Jenneh on the Joliba, his navigation from thence to Timbuctoo, for a whole month, during the season when the water is low, his residence in that city, and his journey across the Great Desert for two months and a half, as far as the kingdom of Morocco, and his arrival at Tangiers, where he was kindly received by M. Delaporte, consul of France, and member of this Society, by whose care and attentions he recovered the effects of disease contracted in this long and perilous journey.

This report was loudly applauded, and, conformably to the recommendations of the committee, M. Caillé came forward to receive from the hands of the president the reward of his generous devotedness, namely the product of a subscription raised by the Society "for the individual who should succeed in reaching Timbuctoo by way of Senegambia, and who should furnish an account of that city."

M. Pacho next read a fragment of an unpublished work on the nomade people of ancient and modern times. M. Pacho refutes the idea of Volney respecting the contrast between the manners of the savages of America and the roving Arabs, which this author ascribes to the nature of the soil and the influence of climate. Volney argues that the soil in Arabia and Libya being, for the greater part, flat denuded plains, the inhabitants were naturally led to a pastoral life and to acquire gentle manners; whereas the soil in America being covered with forests, made man a hunter, and from the custom of shedding blood, he became brutified in his habits and an anthropophagist. M. Pacho shews the futility of Volney's conclusions, by appealing to the manners and localities of nomade people in ancient times. Amongst the ancient Libyans, those who inhabited the mountains or their vicinity, such as the Maxyes, the Asbytes, the inhabitants properly so called of Atlas, and others, led a pastoral life in the midst of forests, many of them abstaining altogether from animal food; whereas those who occupied the most arid districts, whether they wandered along the shores, or traversed in bands the interior of Libya, were people who always had recourse to hunting for food: such were the Libyans of the coast of Pomponius Mela, and the African hunters of Lucan, &c. The real cause of the contrast between the manners of the American savages and the ancient and modern nomades of Asia and Africa, M. Pacho discovers in the difference of creeds and religious worship.

The general meetings of this Society

were never before attended by so numerous and brilliant an assembly. Amongst other personages were M. de Martignac and M. Hyde de Neuville.

Concerning the visit of M. Caillé to Timbuctoo (an account of whose journey we gave in our last vol. p. 721), a correspondence has taken place between Mr. Barrow, of the Admiralty, and M. Jomard. The former, observing in a letter from M. Delaporte, French consul at Tangiers, published in the bulletin of the Geographical Society, that this French traveller is represented as being the only European who has succeeded in bringing to a successful conclusion an undertaking in which so many have failed, interposes a claim on behalf of Major Laing, to be considered as the first European who set foot in Timbuctoo. "I will prove it to you," says Mr. Barrow, "by the most irrefragable authority, by that of his own signature and the signature of his servant, now at Tripoli. In a letter addressed to Mr. Consul Warrington, and now before me, dated Timbuctoo, 21st September 1826, the Major says he arrived in that city on the 18th of the preceding month of August; that he was to quit it the ensuing day, namely, the 22d September; and that he intended to take the route of Sego; he then furnishes many details touching the city, and adds a number of curious documents which he had collected on the subject, and other materials which, there is no doubt, will be published at a convenient time. He accordingly quitted Timbuctoo on the 22d September, with a small caravan, having only a single Arab domestic in his service. On the third day they were joined by some Arabs forming part of the caravan, and he was then basely murdered. The letter before-mentioned, which he had written from Timbuctoo, happened to be in the custody of his servant. His own baggage was completely plundered, and his journals and numerous papers taken away, but there is still some hope of recovering them. The servant has been subjected to the severest examination; his replies are firm and consistent; and, I regret to say, there is reason to think that this enterprising traveller has fallen a victim to the treacherous and barbarous Bello, who conducted himself so shamefully towards Capt. Clapperton."

M. Jomard, in reply, observes that the expressions referred to by Mr. Barrow speak of M. Caillé's return from his journey, not of his having been the first to enter Timbuctoo. M. Jomard professes the utmost readiness, on his own part and that of the Society, to do justice to the enterprise of British travellers. He observes, "I take credit to myself for having contributed to establish as a principle,

ciple, in the regulations of the Society, that travellers of all nations have an equal claim upon its regard; that rewards belong to all, whatever be their native country, and that there should be no distinction in the bosom of the Society between foreigners and fellow-subjects."

M. Delaporte, in the letter referred to in the beginning, describes M. Caillé as possessed neither of the brilliancy nor of the education of modern travellers; but displaying the *ingenuity* and *frankness* of Marco Polo. "He travelled," adds he, "without much pomp: I beheld a mendicant dervish, with his leathern wallet at his back, enter my door, and hold out, not the hand of indigence or of misery, of which he bore the livery, but of a fellow-countryman, who applied to a servant of the King of France, and claimed his protection."

#### ORIGIN OF AN INCIDENT IN "ZADIG."

In the *Alaheswara Kathû*, a story of the rajah of Alakapur and his four ministers, who, being falsely accused of violating the sanctity of the inner apartments, vindicate their innocence and disarm the king's wrath by relating a number of stories, the following incidents are mentioned which shew the origin of part of Voltaire's story of *Zadig*:—

"In the reign of Alakendra Rajah, of Alakapuri, it happened that four persons of respectability were travelling on the high road, when they met with a merchant who had lost one of his camels. Entering into conversation with him, one of the travellers inquired if the camel was not lame in one of its legs; another asked if it was not blind of the right eye; the third asked if the tail of it was not unusually short; and the fourth demanded if it was not subject to the cholick. They were all answered in the affirmative by the merchant, who was satisfied that they must have seen the animal, and eagerly demanded where they had seen it. They replied they had seen traces of the camel but not the camel itself, which being inconsistent with the minute acquaintance they seemed to possess, the merchant accused them of being thieves and having stolen his beast, and immediately applied to the rajah for redress. The rajah, on hearing the merchant's story, was equally impressed with the belief that the travellers must know what had become of the camel, and sending for them, he threatened them with his extreme displeasure if they did not confess the truth. How could they know, he demanded, that the camel was lame or blind, or whether the tail was long or short, or that it was subject to any malady, unless they had it in their possession? On which they severally explained the reasons which had induced them to express their belief of these par-

ticulars. The first observed, 'I noticed in the foot-marks of the animal, that one was deficient, and I concluded accordingly that he was lame in one of his legs.' The second said, 'I noticed the leaves of the trees on the left side of the road had been snapped or torn off, whilst those on the right side were untouched, whence I concluded the animal was blind in his right eye.' The third remarked, 'I saw a number of drops of blood on the road, which I conjectured had flowed from the bites of gnats and flies, and I thence supposed that the camel's tail was shorter than usual, in consequence of which he could not brush the insects away.' The fourth said, 'I observed that whilst the fore-feet of the camel were planted firmly in the ground the hind ones appeared to have scarcely touched it; whence I guessed they were contracted by pain in the belly of the animal.' The king, when he heard their explanations, was much struck by the sagacity of the parties, and giving the merchant a sum of money to console him for the loss of the camel, he made these four persons his principal ministers."—*Mackenzie Coll.*

#### RUSSIAN TRADE IN TEA.

A Russian periodical work contains some particulars respecting the trade in tea carried on with the Chinese at Kiakta, on the frontiers of China. This article, it is stated, is one of the most important items in Russian commerce, and contributes more than any other to the activity of the fair at Neishny-Novogorod. Its quick arrival or otherwise there depends upon the thawing of the rivers of Siberia. It is transported on sledges from Kiakta to Tomsk in Siberia, where it sometimes remains six weeks or two months till it can be put on board decked-boats, which fall down the Obi and ascend the Irtysh. The tea is then unladen again, and is conveyed in carriages twelve westerly to Permia, where it is once more consigned to water-carriage, and is navigated as far as Neishny-Novogorod. The expedition sets out from Kiakta in February. In the year 1827 the cargoes reached Neishny-Novogorod on the 25th July, in eight *rashines* (a kind of decked-boats, with a keel and rudder); each carried from 5,000 to 6,000 poods'-weight. The cost of carriage amounted to nearly ten per cent. The commodity is carefully baled in sheet-lead, covered with a hide, in order that it may not contract any smell from other substances with which it is conveyed. The tea brought by the Russians by land is represented to be far superior to that imported by the English, which, in its conveyance by sea, cannot, it is said, be completely secured from the influence of the saline exhalations of the ocean. Tea has become, in a great measure, an arti-



cle of prime necessity in Russia, where it has exerted a salutary effect upon the manners of the lower classes, by inducing an abstinence from excess in spirituous liquors. The account we are quoting specifies the names of the various sorts of tea, but they are utterly unintelligible to us in the disguise of Russian orthography. The houses mostly engaged in this traffic are at Moscow; they have offices at Kiakta, which manage the barter with the Chinese merchants, who are greatly addicted (as elsewhere) to fraud, not merely in the quality of the tea, but by an expedient which has succeeded of late years, that of increasing the tare of the package by an additional thickness in the sheet-lead which wraps the tea. The supply at Neishny-Novogorod is adjusted to the estimated consumption of the article, whereby the prices are kept up to a remunerating standard. At the fair of 1827 the prices were as follows: ordinary tea fetched from 230 to 240 roubles the *tsibik*, generally fifty-five Russian pounds; black family tea, 450 to 475 roubles the *tsibik* of from sixty to sixty-five pounds; flower of family tea, 550 to 650 roubles the *tsibik* of fifty to fifty-five pounds; green curled tea, 430 roubles the *tsibik* containing six cases of nine pounds and a half each; and lastly brick tea, or tea in the form of bricks, which is sold at 115 to 120 roubles the *tsibik*. The latter sort is purchased only by the Kalmouks and other nomade tribes, who infuse it in mare's milk.

#### RUSSIAN LITERARY ACQUISITIONS IN TURKEY.

The *Gazette of Tiflis* contain an account of the pillage of the library attached to the mosque of Achmet at Akalzik, in Asiatic Turkey. Three hundred books were selected from this library, formerly esteemed one of the best in the east, having been enriched by the founder of the mosque, the Vizir Achmet Pacha, who died A.H. 1176. The books taken thence include three copies of the Koran (one of which is a splendid MS.), Commentaries on the Koran, theological works, an Arabic translation of the Psalms, philosophical writings, many books on the law, and rules for the interpretation of the laws, published by Abuhanifa; likewise Turkish and Arabic grammatical and lexicographical works; several works in the department of history; poems in the Arabic language, in Persian, and in Turkish, &c. "We have also found," says the account, "in Achmet's mosque several of the books, which, at the request of some of our friends, learned in oriental literature, were looked for by the emperor's order, but in vain, in Persia, particularly in the library at Echmiadzin." The library at Akalzik cannot be compared with that at Ardebil for splendid MSS., but is superior to it in other respects: it contains works on every branch of knowledge requisite in a learned institution, such as grammar, rhetoric, mathematics, astronomy, philosophy, theology, legislation, jurisprudence, &c. Most of these books are in Arabic.

### NEW PUBLICATIONS.

#### LONDON.

*Transactions of the Royal Asiatic Society of Great Britain and Ireland.* Vol. 2.—Part 1. 4to.

*Twelve Years' Military Adventure in Three Quarters of the Globe; or Memoirs of an Officer who served in the Armies of his Majesty and of the East-India Company, between the Years 1802 and 1814, in which are contained the Campaigns of the Duke of Wellington in India, and his last in Spain and the South of France.* 2 vols. 8vo. £1. 4s.

*Letters from an Eastern Colony.* 8vo. 7s.

*Memoirs of the extraordinary Military Career of John Shipp, late a Lieutenant in H.M.'s 87th Regiment.* Written by Himself. 3 vols. cr. 8vo. £1. 10s.

*Mackenzie Collection.*—A Descriptive Catalogue of the Oriental Manuscripts and other Articles illustrative of the Literature, History, Statistics, and Antiquities of the South of India; collected by the late Lieut. Col. Colin Mackenzie, Surveyor-General of India. By H. H. Wilson, Esq., Secretary to the Asiatic Society of Bengal, &c. 2 vols. 8vo. £1. 12s. (Imported from Calcutta.)

*Documents illustrative of the Burmese War; with an Introductory Sketch of the Events of the War, and an Appendix.* Compiled and edited by H. H. Wilson, Esq. 4to. with a Map. £2. 2s. (Imported from Calcutta.)

*A Dictionary of the Bengalee Language; vol. i. Bengalee and English.* Abridged from Dr. Carey's Quarto Dictionary. 8vo. £1. 10s. (Imported from Calcutta.)

#### In the Press.

*Schill's Travels among the Calmucs.* Translated from the German. 1 vol. post 8vo., with a Map.

*The Road of Faith;* being a complete Catechism of the Jewish Doctrines, Rites, and Belief, arranged as Dialogues in the purest Hebrew. By the late Rev. Dr. H. Meldola, chief Rabbi in London; and accompanied by a correct English Translation. 2 vols. 8vo.

#### Preparing for Publication.

*Planta Asiaticæ Rariores;* or, Descriptions and Figures of a select number of unpublished East-India Plants. By N. Wallich, M. and P.H.D., Superintendent of the Hon. E. I. Company's Botanical Gardens at Calcutta. 3 vols. folio.—(To be published in twelve numbers, each containing 25 coloured engravings, with appropriate letter-press, and to appear every three months; price £2. 10s. each number.)

*A Compendious Grammar of the Egyptian Language,* both of the Coptic and Sahidic Dialects; with Observations on the Bashmunic; together with the Alphabets of the Hieroglyphic and Enchorial Characters. By the Rev. H. Tattam, Rector of St. Cuthbert's, Bedford. With an Appendix, consisting of the Rudiments of a Dictionary of the Ancient Egyptian Language, in the Enchorial Character. By Thos. Young, M.D.

*An Egyptian Lexicon of the Coptic, Sahidic, and Bashmunic Dialects,* from the fragments of these Languages which have been published, and from an Examination of Egyptian MSS. By the Rev. H. Tattam.

## ASIATIC INTELLIGENCE.

## Calcutta.

GOVERNMENT GENERAL  
ORDERS.BATTA AND PASSAGE-MONEY TO KING'S  
OFFICERS.

*Head-Quarters, Simla, July 4, 1828.*—The following Government General Orders are re-published for the information and guidance of officers belonging to his Majesty's forces in India.

## General Orders.

*Fort William, June 6, 1828.*—Under instructions from the Hon. the Court of Directors, the Governor-general in Council is pleased to direct, that officers of his Majesty's service in India who may be reduced to half-pay shall, instead of being permitted to draw, as was authorized in General Orders of the 28th of June 1822, the full batta and house-rent of their rank for three months, after the date of the notification of their removal to the half-pay list, be entitled to the half batta only, and house-rent of their respective ranks for that period.

(Signed) WM. CASEMENT, Lieut. Col.  
Sec. to Gov. Mil. Dep.

*Fort William, June 6, 1828.*—The Hon. the Governor-general in Council is pleased to direct, that the following paragraphs of a military general letter from the Hon. the Court of Directors, dated the 23d Jan. 1828, be published for the information of officers in India belonging to his Majesty's service.

Par. 20. "We have on various occasions received applications from officers in his Majesty's service claiming to receive the amount of their passage-money after their arrival in India.

21. "As the circumstances which entitle some of his Majesty's officers to a free passage are only known to the military authorities at the office at the Horse Guards, Whitehall, we direct that all officers making applications of this nature, be desired to forward them direct from India to the military secretary of the commander-in-chief at that office for consideration: the transmitting them to us in the first instance being productive only of delay."

(Signed) WM. CASEMENT, Lieut. Col.  
Sec. to Gov. Mil. Dep.

## VETERINARY SURGEONS.

*Fort William, July 25, 1828.*—The Right Hon. the Governor-general in Council has been pleased to determine, that the fee on the commission of a veterinary sur-

geon shall be the same as is charged to an assistant surgeon.

PENSIONS TO THE HEIRS OF NATIVE  
CHRISTIAN DRUMMERS, &c.

*Fort William, Aug. 16, 1828.*—General Orders, Nos. 96 and 293, of 1825, granting pensions to the heirs of certain classes of the native army, whose relatives may lose their lives in any way while employed on foreign service, and to the heirs of any native officer or soldier of cavalry, infantry, artillery, sappers and pioneers who may be killed in battle, or die of wounds received in battle in India, having specified the heirs of Hindoos and Mahomedans only, the Right Hon. the Governor-general in Council, at the recommendation of his Exc. the Commander-in-chief, is pleased to extend the provisions of those orders to native Christian drummers, trumpeters, buglers, &c., of the army, and to admit the heirs of these meritorious class of servants to the benefits of family pension, in the same manner as the indulgence is now enjoyed by Hindoos and Mahomedans.

2. The extension now authorized of the provisions of the orders in question is to have retrospective effect, so as to admit the heirs of those who fell at Bhurtpoor, or lost their lives during the late Burmese war, to a participation in the boon already conceded to other classes composing the native army.

## THE SIX ADDITIONAL REGIMENTS.

*Fort William, Aug. 16, 1828.*—The Hon. the Court of Directors having been graciously pleased to authorize the formation of six additional regiments of N.I. of the line, the officers and men composing the six extra regiments will henceforth form six regiments of the line, to be numbered from 69 to 74 consecutively.

2. According to the orders of the Hon. Court the commissions of the officers will bear date the 13th May 1825.

## COURT-MARTIAL.

## LIEUT. M'GREGOR.

*Head-Quarters, Simla, July 9, 1828.*—At a European General Court-Martial, assembled at Benares on the 5th June 1828, of which Lieut. Col. George Warden, of the 27th Regt. N.I., was president, Lieut. James Melville McGregor, of the 16th Regt. N.I., was arraigned on the following charge:—

*Charge.*—With having, on the evening of the 28th February 1828, conducted himself in a highly disgraceful manner, at a public

a public entertainment given by a native gentleman in the city of Goruckpore, by appearing there in a state of intoxication, and grossly insulting, without provocation, Lieut. Evans and Ensign Hoppe, of the same regiment, saying to Lieut. Evans, "go to hell," and "go and be damned," and calling Ensign Hoppe "a damned blackguard."

Such conduct being scandalous, and unbecoming the character of an officer and a gentleman.

Upon which charges the court came to the following decision :

*Finding.*—The court having maturely weighed and considered the evidence produced on the prosecution, together with what the prisoner has urged in his defence, are of opinion, that Lieut. J. M. McGregor is guilty of the charge preferred against him, excepting the words "highly disgraceful" and "without provocation," of which they acquit him.

*Sentence.*—Such conduct being unbecoming the character of an officer, the court do therefore sentence him, the said Lieut. J. M. McGregor, of the 16th regt. N.I., to be suspended from rank and pay for three calendar months. The court acquit the prisoner of conduct "scandalous and unbecoming the character of a gentleman."

Approved and confirmed,

(Signed) COMBEMERE, General,

Commander-in-chief in India.

Remarks by the Right Hon. the Commander-in-chief.

The Commander-in-chief has approved and confirmed the proceedings of this court-martial, upon the understanding that, although Lieutenant McGregor is proved to have behaved with the greatest impropriety, and in a manner derogatory to the character of an officer, his conduct does not, under all the circumstances of the case, appear to have been of that degrading nature, contemplated in article xxvi, sec. 14, of the Articles of War, for the government of the Hon. Company's European forces.

His Lordship has observed with surprise the irregular mode of proceeding adopted in this case, preparatory to placing Lieut. McGregor under arrest, and preferring charges against him. It appears that the commanding officer (Lieut.-Col. Com. Sir T. Ramsay, Bart.) called a meeting of the officers of the 16th regiment, at which each officer, from the senior to the junior, was questioned, through the adjutant, as to what he "thought proper to be done," and it was decided, by a majority of votes, that charges should be instituted against Lieut. McGregor. If the commanding officer entertained any doubts relative to the course proper to pursue, he should have referred the case for the consideration and decision of higher

authority, instead of submitting himself to the guidance and instruction of those who are presumed to look to him for their rule of conduct.

The suspension of Lieut. McGregor is to commence from the receipt of this order at Benares.

By order of his Exc. the Commander-in-chief.

C. FAGAN, Adj. Gen. of the Army.

## CIVIL APPOINTMENTS.

*General Department.*

*Aug. 7.* Mr. J. M. Macnabb, principal collector of customs and town duties at Mirzapoor, in province of Benares.

Mr. J. W. Lalng, collector of customs and town duties at Agra.

## MILITARY APPOINTMENTS, PROMOTIONS, &c.

*Fort William, Aug. 1, 1828.*—38th N.I. Lieut. John Paton to be capt. of a comp., and Ens. C. J. H. Perreau to be lieut., from 16th July 1828, in suc. to Sargent dec.

Lieut. E. E. Isaac, 63d N.I., to be capt. by brevet, from 24th July 1828; Lieut. J. W. Patton, 37th N.I., to be ditto, from 29th July 1828; Lieut. Chas. Field, 9th N.I., to be ditto, from 30th July 1828.

Cadet G. G. Channer admitted to artillery, and prom. to 2d-lieut.—Cadet W. B. Mosley admitted to cavalry, and prom. to cornet.

Surg. John Sawers to be a superintending surgeon on estab., from 20th June 1828, v. Dickson app. 3d member of Medical Board.

*Head-Quarters, July 10, 1828.*—Lieut. R. H. Turnbull to act as adj. to 24th N.I., during absence of Lieut. and Adj. Singer; dated 5th June.

Lieut. E. Wintle to act as adj. to 3d extra N.I.; dated 20th June.

Major R. L. Dickson appointed to charge of 3d N.I.—Major C. R. Shardon appointed to charge of 5th N.I.

*Fort William, Aug. 5.*—Cadet W. E. Baker admitted to engineers.—Cadet G. L. Cooper admitted to artillery, and prom. to 2d-lieut.—Cadets W. C. P. Collinson, J. H. Ferris, W. P. Hampton, and W. T. Pocklington, admitted to infantry, and prom. to ensigns.—Mr. F. Rogers admitted a veterinary surgeon.

Lieut. A. Macdonald, 62d N.I., permitted, at his own request, to resign service of Hon. Company.

*Aug. 3.*—9th L.C. Cornet N. Macdonald to be lieut., from 29th Jan. 1828, v. Bishop dec.

Assist. Surg. J. R. Martin to officiate as surgeon to Governor-general from 4th July.

Capt. G. Young, 2d extra N.I., to have charge of office of judge adv. gen. to presidency division until further orders.

Cadet W. V. Milford admitted to cavalry, and prom. to cornet.

Lieut. J. T. Bolleau, of engineers, removed from 10th or Agra division, to Kemaon district, and Capt. E. Swetenham, of engineers, removed from latter to former division of public works.

*Head Quarters, July 12.*—Lieut. St. G. D. Showers to act as adj. to left wing of 4th extra N.I. during absence, on med. cert., of Lieut. Wright; dated 28th June.

July 15.—Capt. J. P. Griffin, inv. estab., removed to 1st bat. Nat. Invalids at Allahabad.

Lieut. R. W. Beaton to have charge of 2d bat. Nat. Inv. at Chunar; dated 30th June.

Lieut. and Adj. J. Woodburn to act as interp. and qu. mast. to 44th N.I., during absence of Lieut. Wemyss; dated 21st June.

Assist.

Assist. Surg. W. Jacob app. to do duty with 20th N. I. at Barrackpore.

July 16.—Surg. C. B. Francis, lately returned from furlough, app. to do duty with 60th N.I., during absence of Surg. Hough.

July 17.—*Ensigns appointed to do duty.* J. Millar with 7th N.I., at Berhampore; T. Simpson, with 6th extra N.I., at Mulleye.

Lieut. J. Woodburn to act as interp. to 9th N.I., during absence of Lieut. Beckett; dated 1st July.

*Fort William, Aug. 16.—Cavalry.* Maj. S. Smith to be lieut. col., from 24th July 1829, v. Dickson dec.

3d L.C. Capt. Arthur Ward to be major, Lieut. G. C. Smyth to be capt. of a troop, and Cornet H. P. Voules to be lieut., from 24th July 1829, in suc. to Smith prom.

Cadets C. S. Guthrie and Hugh Fraser admitted to engineers.

Cadet L. Smith admitted to artillery, and prom. to 2d-lieut.

Cadets John Clarke, F. Rainsford, D. Hadden, W. H. Ross, W. W. Davidson, R. M. Gurnell, A. M. Wyllie, H. Carter, and J. D. Kennedy, admitted to infantry, and prom. to ensigns.

Mr. M. Grierson admitted an assist. surgeon.

Mr. H. Fraser, of engineers, prom. to 1st-lieut. Capt. A. Troyer, H.M.'s service, to be an aide-de-camp on Gov. General's personal staff.

21st N.I. Lieut. J. C. C. Gray to be capt. of a comp., and Ens. H. Spottiswoode to be lieut., from 1st Aug. 1829, in suc. to Guise dec.

Cadet John Hennessy admitted to infantry, and prom. to ensign.

Assist. Surg. T. Spens directed to resume charge of duties of situation as assist. garrison surg. of Fort William.

*Head-Quarters, July 21.*—Lieut. R. L. Burnett, to act as interp. and qu. mast. to 54th N.I., during absence of Lieut. Lennmouth.

Assist. Surg. A. Murray app. to medical charge of 6th N.I. until further orders.

July 24.—*Removals and Postings, in Artillery.* Capt. G. G. Denniss, from 1st comp. 5th bat. to 2d comp. 4th bat.; Capt. J. Brodhurst, from 2d comp. 4th bat. to 1st comp. 5th bat.—1st Lieuts. H. De W. Cockburn (new prom.), to 2d comp. 1st bat.; F. A. Miles, from 2d to 1st comp. 3d bat.; C. R. Winfield, from 3d comp. 1st bat. to 2d comp. 3d bat.—2d Lieuts. W. O. Young, from 1st comp. 5th bat. to 1st comp. 1st bat.; R. Waller, from 2d comp. 5th bat. to 3d comp. 2d bat.; J. Brind, from 4th comp. 4th bat. to 2d comp. 3d bat.; G. F. C. Fitzgerald, from 4th comp. 5th bat. to 2d comp. 2d bat.; T. H. Sissimore, from 4th comp. 4th bat. to 2d comp. 4th bat.; G. R. Birch, from 2d comp. 2d bat. to 4th comp. 6th bat.; F. C. Burnett (new arrival), to 4th comp. 4th bat.; A. Broome (new arrival), to 3d comp. 4th bat.; A. T. Browne (new arrival) to 2d comp. 5th bat.; A. Armstrong (new arrival), to 4th comp. 5th bat.; J. H. Campbell (new arrival), to 3d comp. 4th bat.; H. H. Cornish (new arrival), to 4th comp. 4th bat.; F. W. Cornish (new arrival), to 1st comp. 5th bat.; A. M. Seppings (new arrival), to 2d comp. 5th bat.; A. H. H. (new arrival), to 3d comp. 5th bat.; J. D. Bell (new arrival), to 4th comp. 5th bat.

Capt. James Johnson, 1st brigade Horse Artillery, to officiate as superintendent of Horse Artillery Depot and riding establishment at Dum Dum, during absence of Capt. Geddes.

Assist. Surg. James Barber app. to Hill Rangers, v. Gilmore, app. to civil station of Nuddeah.

July 25.—Lieut. P. Goldney to act as adj. to 4th N.I., during absence of Lieut. Macdonald.

1st-Lieut. of Engineers appointed to do duty. S. B. Hare, C. B. P. Alcock, and F. W. Clement, with sappers and miners, Allyghur.

Cornet of Cavalry appointed to do duty. C. G. Fagan with 6th L.C., Sultanpore, Benares.

*Ensigns of Infantry appointed to do duty.* R. Hill, with 2d N.I., Barrackpore; J. Jones, 46th do., Dinapore; J. P. Motlock, 24th do., Cawnpore; A. G. Hopper, 57th do., Pertaubghur, Oude; O. Vincent, 60th do., Meerut; G. H.

Whistler, 13th do., Dinapore; A. F. C. Deas, 46th do., Dinapore; H. Lenchman, 57th do., Pertaubghur, Oude; H. M. Barwell, 59th do., Barrackpore; A. G. Nicholls, 28th do., Barrackpore; A. B. Morris, 46th do., Dinapore.

Assist. Surg. J. Goss app. to do duty with 46th N.I., at Dinapore, when relieved from present situation at Beerbhoom.

July 26.—Assist. Surg. W. E. Carte, 63d N.I., app. to medical charge of 1st Local Horse.

Assist. Surg. T. B. Hart app. to do duty with 63d N.I., at Hansi, until further orders.

*Officers returned to duty, from Europe.*—Lieut. W. T. Savary, 46th N.I.—Lieut. C. Cook, 21st N.I.—Lieut. H. Beatty, 62d N.I.

#### HIS MAJESTY'S FORCES.

*Head-Quarters, July 8, 1829.*—Capt. Bonnamy, 6th F., to be aide-de-camp to his Exc. Lieut. Gen. Sir T. Bradford; to have effect from embarkation for England of Lieut. Ainslie, 4th L. Dr.

July 23.—Lieut. G. Manners, 13th L. Dr., to be capt. by brevet in E.I. only, from 13th May 1829. —Lieut. Jos. Moore, 89th F., to be ditto ditto, from 8th July 1829.

#### FURLOUGHS.

*To Europe.*—Aug. 1. Lieut. F. S. Hawkins, 38th N.I., for health.—5. Lieut. R. Angelo, 34th N.I., for health.—15. Capt. John Dunlop, 23d N.I., for health.—Lieut. Jas. Peers, 49th N.I., for health.—Mr. G. B. P. Field, pension estab., late capt. 23d N.I., to return.

*To Madras.*—Aug. 8. Lieut. J. H. Macdonald, regt. of artil., for health (also to Moulinism), to be absent for six months.

*To Singapore.*—Aug. 8. Lieut. Col. J. Bryant, 65th N.I., judge adv. gen., for six months, on private affairs.—Lieut. C. S. Maling, 68th N.I., for six months, for health.

*To New South Wales.*—July 29. Lieut. W. F. Beaton, 54th N.I., for twelve months, for health.

*To Cape of Good Hope.*—Aug. 16. Lieut. Jos. Leeson, 42d N.I., sub-assist. stud. depart., for two years, for health.

*To China.*—Aug. 16. Lieut. W. Wingfield, 10th L.C., adj. Gov. Gen.'s body guard, for ten months, for health—(also to St. Helena).

#### HIS MAJESTY'S FORCES.

*To Europe.*—July 8. Cornet Cumberlandge, 4th L. Dr., for one year, on private affairs.—Lieut. Peake, 59th F., to precede his regt. to England, for health.—23. Ens. Whittell, 39th F., for health.

#### LAW.

##### SUPREME COURT.

The sessions of Oyer and Terminer commenced on the 28th July.

#### August 1.

Maria Davis, a Portuguese, was indicted for the wilful murder of a native female, about 12 years of age, named Nussieburn, commonly called Nancy Burn, on the 10th June.

The deceased was a slave of the prisoner, and originally a Mahomedan. The fact of the murder seems indisputable; but the witnesses varied materially as to the circumstances.

Mirza Hingun, who lived next door to the prisoner in Cossitollah, deposed that she continued beating the deceased from mid-day till night. He says: "I first observed her beating the girl in the upper verandah of her house with a rattan. I heard

heard the beating and the child crying from time to time till ten o'clock at night. When I went away at first to my own house I left her beating, and I saw the girl was crying. The deceased was asking for mercy, saying 'oh mam, spare me!' The prisoner said 'who can say any thing to me if I beat you to death? I purchased you.' The prisoner's daughter was present. The reason I did not interfere was, because when I spoke to her on a former occasion about beating the girl she abused me; I did not wish to be again abused. I returned to this house at about four o'clock, and at about the close of the day I went on the terrace to look at the moon. I then heard the prisoner call out for her durwan, and also to Nusseeburn, to bring her liquor. I again saw her beating the girl in the verandah; I saw her push the deceased violently; her head came against the wall and she fell. At about ten o'clock I heard the servants say, 'Mam, you are beating the girl; she will die, and if you persist, we will go to the thanna.' I then heard the prisoner threaten some person; she said 'Madorchot, what have you to do with it?' I got up the following morning at about six o'clock. I saw a cherpoy carried into the house by four bearers of the dead, with a piece of cloth on it; seeing this, and what had happened the night before, I gave information at the thanna."

Meer Chaun, another of the prisoner's neighbours, deposed that she was beating her girl at about three or four o'clock in the day, in the verandah of her house. The prisoner was pulling the girl and beating her. The girl was begging for mercy, saying 'oh mam, oh mam!' The prisoner said 'there is no person can interfere with me if I beat my own.' The last witness was not present. That beating continued for an hour. At seven or eight o'clock he heard the prisoner beating again, and blows of a rattan; he also heard her making use of abusive language. He saw a light in her house, and could plainly discern her reeling drunk. He heard the people passing along the street remarking the same.

Buxoo, the prisoner's cook, deposed as follows: "On the day before the prisoner was arrested, she beat the deceased at about five o'clock p.m. I went on that day to market at twelve, and returned at one or two; I went out no more. At five o'clock I heard a beating, and at the same time the deceased saying 'no mam, no mam, no more, mam!' I heard the prisoner say 'what has become of this, what has become of that?' The noise proceeded from the upper story. From the room up stairs a person could go into the verandah. The verandah is most exposed. The noise of the beating continued at intervals till nine o'clock, when the girl ran down and Mrs. Davis followed her; she seized her; and

then dragged her up stairs, beating her. She seized the girl by the arm and dragged her, she did not walk. The steps are of brick. The prisoner's daughter, the durwan, and myself, were all that were present. When the girl came down she could hardly speak, she appeared exhausted. After she was dragged up stairs, I heard her voice very faintly for about half an hour. The beating continued for some time, and the girl was crying 'no mam, no mam, no more, mam!' This ceased in about half an hour. When the deceased came down, she had on a loongy and a coorta both bloody; she had nothing on her head. I observed nothing the matter with her head when she came down, but when she was dragging up stairs, I saw the blood flowing from it; she then must have received the wound. The prisoner was in the habit of beating the deceased a little. I got up at gunfire the following morning. I was going up stairs, when the prisoner's daughter asked who was there? I said, I was going to see if there were any dirty plates to remove; she said I must not go up. I then learned from the prisoner's daughter that the girl was dead. The prisoner was near enough to hear what she said. I then went (in consequence of a conversation with the daughter) to the prisoner's room; I said I would go and make a report at the thanna; she said, 'what is it to you? I beat her, and I will die for it.' The daughter was present at this conversation, and also the durwan. When the beating took place at five o'clock the durwan and myself, the prisoner, her daughter, and the deceased were in the house. After the sound of the beating had ceased the prisoner's brother came in; it was then past nine o'clock. There is a well on the premises. I know of nothing happening about that well. I do not know of the deceased having been put into that well. I saw the deceased on the day the beating took place. I did not see her after twelve or one o'clock. When I last saw her she appeared well. On the following morning the prisoner's brother went out early, and returned about eight o'clock. He brought moordafrazes and a cot with him. The cot and moordafrazes remained below, and the prisoner's brother took a cloth and went up with the coachman. In about an hour they came down and sent up two or three of the moordafrazes; they brought down the body and took it away, accompanied by the coachman. It was brought back at about nine o'clock. I did not then see it exposed. Edwin is the name of the prisoner's brother: I saw the clothes the deceased wore on that night at the police; they were bloody. When she was dragged up stairs I saw a deal of blood flow from her head. I saw the steps bloody next morning."

'Peer Bux, the prisoner's durwan, stated that

that on the day of the murder, at about five o'clock in the afternoon, deceased turned her brother out, locked the door, and kept the key herself. Prisoner then went up stairs and began to beat the deceased, and heard the sound of beating, and the girl crying "no mam, no mam!" She kept beating the deceased till she ran down. The beating continued at intervals till ten or eleven o'clock. She began to beat her at five o'clock, and after a few blows were struck she ran down; the day had then not closed; no candles were lighting. The prisoner pushed her and began to beat her with a rattan. She continued beating her below stairs till six o'clock, and when she had nearly lost her utterance she dragged her up stairs. Witness expostulated with her; she said "if you say any thing I will beat you." She seized the girl by the hand; the girl fell and she dragged her up stairs. She beat her above stairs till about ten or eleven at night, as he guessed. He did not go up on that night, but went to the foot of the stairs and said, "I want to go up, and see what has been done with the girl." Prisoner said if he attempted to go up she would kill him. At about three or four o'clock in the morning the prisoner's brother knocked at the door. Witness told the prisoner, and she let him in. At five or six he left the house. When the deceased ran down, she had on a loota and was crying.

Hurymoolah, the prisoner's coachman, heard the voice of his mistress and the crying of the deceased from five till ten or eleven o'clock. The prisoner was abusing her. The witness did not sleep in the house that night, but in the stalls opposite. The prisoner's brother desired the witness, next morning, to go and bury the girl; he refused. He saw the corpse, and deposed as to its bloody condition.

Dr. Voss, surgeon to the police, examined the body after death, and represented its state as follows: "I found two wounds on the temples, two inches in length, half an inch broad, but superficial. A similar wound under the left eye; one on the right knee. On the head was a cloth which I removed; I there found the integuments of the scalp were very much bruised and lacerated. The back of the head appeared as if the integuments had been torn with violence. I found the skull laid bare, in length about five or six inches, several portions of the integuments detached from the skull but not removed; the wound appeared fresh. There were also marks of a cane on her arm and back. On the second examination I opened the body, and found the contents of the abdomen and thorax in a sound state. I then opened the skull by removing the dura mater. I found an extravasation of blood on the brain underneath the part where the bone was laid bare, but not a sufficient extravasation to

cause immediate death. I should think that extensive lacerations of the scalp, and violent bleeding consequent thereon, were the cause of the child's death. The body had perhaps been dead twelve or sixteen hours. It did not appear that the injuries had been inflicted any considerable time. The wounds on the back and arms must have been given by a rattan or some such instrument. I am at a loss to say how the wound on the head could have been inflicted; there was no injury of the bone. I should suppose it had been done by dragging the ground against some hard substance, or struck against something sharp. I should say a good deal of blood must have flowed from the wound."

The prisoner declined saying any thing in her defence, or calling any witness.

Mr. *Turton*, her counsel, submitted that there was no evidence to support that part of the indictment which stated that her death was caused by dragging the deceased up the stairs. This objection was overruled.

The *Chief Justice* told the jury, in his charge, that it was not necessary to prove that death had been caused precisely in the manner stated in the indictment, provided it was the same sort of death as there stated. His lordship pointed out the great discrepancy in the testimony of the witnesses, as to the exact time when the beating commenced, and the variation of eye-witnesses as to the circumstances attending the beating. From the evidence of Dr. Voss, the cause of death was apparent; and if the testimony of the servants were to be believed, there could be no doubt that the wounds were inflicted by the prisoner.

The jury found the prisoner guilty.

The *Chief Justice*, in passing sentence of death, commented upon the enormity of the prisoner's offence, in perpetrating such an act upon one who was friendless in the world, who had therefore a double claim on the protection of the prisoner; a circumstance which seemed, on the contrary, to have encouraged her to commit the deed. When told of the probable consequence of the cruel treatment she was inflicting, the prisoner seemed to exult in her power, and to taunt the deceased with it. "Nothing," said the learned judge, "has appeared before the court that can in the least point out the cause of your anger; I hope, and I am willing to suppose, for the sake of human nature, that there was some provocation; but we cannot say that it was a sufficient palliation of your crime, inasmuch as you have not brought it before us. From the evidence it appears that for some hours you were heard and seen beating the deceased, and the cries of your unhappy victim for mercy were also heard. To her entreaties for forgiveness you turned a deaf ear, you were inflamed to such a degree of fury that you became regard-

less of what you did, or of the consequences that might ensue. When the unhappy girl, from your continued ill-treatment, was almost deprived of utterance, and unable to support herself, you inhumanly seized her by a limb and dragged her in that state up stairs, thereby inflicting a wound, which deprived her of existence. It is impossible that the deceased could have been guilty of any crime that could have merited such an unjustifiable measure of correction; if she had, her voice was raised to ask you for mercy and forgiveness; you were remonstrated with for your conduct; you were warned, and you must have been aware of the consequences that would follow. There is one point on which I made no remark to the jury, and which I trust has not influenced their verdict. It appears you turned your brother out of the house, and it would seem your ill-treatment commenced immediately after; from this it might be supposed that you intended to do that which he would have endeavoured to prevent, had you allowed him to be present. It is stated that after you dragged the deceased to the upper story of the house, you were again heard punishing her, and after some time her voice was heard no more. You, who must have known the danger of her situation, and witnessed her increasing weakness, made no attempt to see, whether by timely assistance the life which you, by your cruel treatment, had placed in jeopardy, might not be saved. You bore for a whole night to sleep by the body of the person you had deprived of life, and in the morning you ordered her to be taken away and buried, as if death had ensued in the ordinary way. I in vain look to the evidence for any circumstance to palliate your offence. There is some evidence of your having been supplied on that day with liquor, and of your appearing to have been intoxicated. That, in the eye of the law, is no excuse; but I myself pray that it may be a palliation somewhere else. In the state of society in which we live there is something necessary to be done to guard from violence those persons who are placed in the situation of slaves. It is to be much feared that in the interior there are frequent cases of cruelty with respect to them."

His lordship sentenced the prisoner to be hanged on the 4th August.

In consequence, apparently, of some dissatisfaction felt by the community at the verdict in this case, which, it was alleged, should have been a return of guilty of *manslaughter*, not of *murder*, especially as the evidence of the witnesses in court differed essentially from the testimony they gave elsewhere, a discussion took place in the newspapers in regard to this question; one of the jurors, in a letter justifying the verdict, observes: "In the whole of the

evidence, there certainly appears nothing which could, in the remotest degree, have operated to influence the jury in favour of the wretched woman, however inclined they might have been to exercise clemency towards her, and it frequently happens in cases of murder that the character of the individual previously to the commission of the crime, his course of life, and the temper which usually governed him, are inquired into, in order that, if found to possess a combination of good qualities, the same might be duly weighed, and an extenuation pleaded for any sudden act of depravement. In the case, however, of Davis, she led an abandoned life; she was in the habit of exercising cruelty towards the poor child she murdered for some time before; she, when remonstrated with by her servants, replied 'what is that to you? I bought her, and I may kill her;' she, after exhausting the poor slave with punishment, and thereby bringing her to a state of insensibility, called not the physician to heal her wounds; and she, when life became extinct, appeared not to feel for the act, but with unparalleled hard-heartedness and wickedness desired her servants clandestinely to take the body away and have it buried."

The *John Bull* gives the following as the facts of the case, stated by the witnesses prior to the judicial investigation of the transaction: "This, as it has been given to us, represents the wretched woman to have been intoxicated about the time of its getting dark in the evening, when she called her unfortunate servant to bring her a light: the girl, it is said, seeing her mistress in a state of intoxication, and having frequently been beaten by her when in this state, was afraid to come near her, and in the hurry of preparing the light overturned the kedgeegee pot of oil at the head of the stair. She then ventured into her mistress's room and told her what had happened, upon which, as might be expected, the woman Davis became more and more infuriated. The girl attempted to escape from her, and at the top of the stair, where the oil had been spilt, slipt her foot, and fell down, carrying her mistress with her (who happened at the moment to have a hold of her), and pitching her head against the edge of one of the steps cut it severely. At the bottom of the stair Davis cruelly renewed the beating, in the presence of the durwan and others, who had been called on the parties tumbling down stairs. After this second beating of the poor girl, the inhuman mistress dragged her up stairs, by the hair of the head, thus tearing open wider and wider the gash which her pitching on the step had occasioned. The beating, it is said, was renewed when the girl was dragged up stairs, when the mistress, overpowered with the liquor she had taken, and

and the exertion in beating her servant, lay down and fell fast asleep. During the night the girl died, and Davis, alarmed in consequence of the previous beating, attempted to get her corpse out of the way as privately as possible."

We find that the order for execution was at first stayed for a week; and it is since stated that the capital punishment has been commuted to banishment.

### August 13.

*The King, v. Young and others.*—This was a criminal information, under the stamp regulation, at the instance of government, against Jas. Young and others of the house of Alexander and Co., for a breach of that regulation, in accepting a bill of exchange on unstamped paper. Twelve special jurymen attended. The case was opened by the *Advocate General* in a short speech, in which he stated that a more simple, plain, and easy case never came before a jury, and that it was only as the first of the kind tried at this presidency that it would deserve any lengthened detail of argument on his part. It had attracted much attention out of doors, and he regretted to say that attempts had been made very strenuously to bias the jury who were to try it; and an air of triumph assumed, for which he was at a loss to account, that it should have been brought before a jury. His learned friend opposed to him would do him the justice to say that it was by his (the *Advocate General's*) advice that the information had been filed, and in the regret he felt at the attempt at biasing the jury before the case came into court, he was sure the highly respectable defendants would themselves concur. The learned gentleman then proceeded to state to the jury the general doctrine of law, that juries are judges of the law and the fact; and to lay down the limitations under which this doctrine is to be received. After detailing the nature of the case before them, he proceeded to call witnesses in support of the information.

The evidence was as follows: John Abbott proved that James Young, Thomas Bracken, George Ballard, James Charles Colebrooke Sutherland, and Nathaniel Alexander, were partners in September 1827, and had a house of business in Calcutta in February 1828; Mr. Sutherland had been absent from India for three years, and Mr. Ballard left Calcutta in March last; the witness identified the hand-writing of A. and Co. on the bill of exchange to be that of Mr. Bracken. Mr. P. M. Wynch, the collector of stamps, proved that the paper on which the bill was drawn was unstamped. The witness, on cross-examination, stated that he purchased the bill on the 22d September 1827 for 25,000 rupees, allowing six per cent. discount. He purchased this bill and some others

with money furnished by the sub-treasurer for the purpose of procuring notes on unstamped paper; one of the notes were of Messrs. Colvin and Co.; it was unstamped.

The bill was then read; it was dated 19th September 1827, drawn by Rajkissore Dutt and Co., and accepted A. and Co.

After the evidence on the part of the prosecution had been gone through, an objection was taken on the part of the counsel for the defendants, that there was no proof of the defendants Young, Sutherland, Ballard, and Alexander, having any knowledge of, or participation in, the acceptance of the unstamped instrument, the evidence having only established that this acceptance was made by Mr. Bracken, one of the partners, signing the initials of the firm in the usual manner; and that as this was a criminal prosecution, and all penal statutes must be construed strictly, a verdict of *not guilty* for all the partners, with the exception of Mr. Bracken, must be entered, reserving the case, as to him, for further argument. This objection was sustained, and a verdict of *not guilty* recorded. An objection was also taken on the ground that to pay money the document declared upon was not an "obligation," in the legal sense of the word, and did not, therefore, come under the terms of the regulation, on which the *Advocate-General* rested his case.

The *Chief Justice* thought the word "obligation," though sometimes used with a different signification, should be taken to mean in the present case, not only a bond under seal, but a bill of exchange. There was no reason to suppose that the authorities who formed the stamp regulation should have charged a duty on bills of exchange in one part of the schedule and exempted them in another. The term "obligation" might have a sense different from that of an instrument under seal; and he thought that in this case it was the intention of the legislature that it should be taken as used in common parlance.

Sir John Franks was of the same opinion. He thought that this court could not be bound by the terms of English acts of parliament, and that the governor and council had the power confided to them of adopting such words as they may think fit in the framing of their regulations; they had done so, and had chosen that which in common parlance was best understood in this country.

Sir Edward Ryan.—"I have the misfortune in this case to differ with the other members of the court. I think this is not an instrument specified in the schedule. The regulation must be taken as a penal statute, and literally construed and not by implication. I do not think that any person,



son, lawyer or not lawyer, looking at this regulation, could say that the bills of exchange fell within meaning of the words 'other obligation for payment of money.' The whole question turns on the meaning of the words 'other obligation.' If any person had come to me as a barrister, and not as a judge of the court, and asked me the meaning of that term, I should have immediately said that it meant bond. In common parlance, however, it may be doubtful, and if doubtful, you may give the benefit to the defendants. If I am asked whether I think it was the intention of the legislature to exempt bills of exchange in the regulation, I will say, that is not the way to construe a penal statute."

Mr. Minchin, counsel for the defendants, then addressed the jury at considerable length on the part of Mr. Bracken, reminding them of the important duties they had that day to discharge. He asserted, and was ready to prove by witnesses, that the acceptance to the unstamped instrument was obtained from his client by means of a trap, a plot concocted by the hirelings in Mr. Wynch's office; and that it would be monstrous to allow the prosecutors to benefit by their own *trick*. He was prepared to put witnesses into the box to establish this plot; and by the testimony of Mr. Alexander, he would establish that directions were given that an unstamped bill should not be accepted. To the success attending the trap, and those who laid it, was the existence of the grounds of the criminal information alone to be traced. The learned counsel then dwelt at considerable length on the right and duty of the jury to judge of both the law and the fact, and to go back to the 53d Geo. III., contending that that act did not give the government a power to impose a stamp tax, and that a verdict must be found for his client.

Mr. Minchin, in the course of his addressing the jury, was stopped by the bench, intimating that the evidence of a plot to entrap his client, although it went to establish the alleged fact, would not affect the issue. The learned gentleman, upon this, signified his determination to call no evidence; but to leave his case, imperfect as it was, to the jury, in the confident expectation of a verdict in his favour.

The *Chief Justice* then charged the jury at considerable length. A copy of his speech is before us, taken from the *Hurkaru*; but as this report is stated in the *Government Gazette* to be imperfect, and as a correct report is promised, we shall at present merely give the heads of the speech.

His lordship commenced his charge by reciting the grounds on which the criminal information had been brought. His lordship adverted to the evidence,

which went to establish the fact of Mr. Bracken having accepted an unstamped instrument. The objection stated by counsel, that the time and place of acceptance had not been proved, his lordship did not think entitled to any weight, the instrument bearing on its face, in the usual way, proof of this sufficient to shew, that the transaction was posterior to the 12th July 1827. In regard to the objection that the bill of exchange was not an "obligation" in the sense and meaning of the clause of the regulation rested on by the prosecutors, his lordship informed the jury that the bench were divided in opinion; but as the jury were to be directed by the court on points of law, it was his duty to state that the majority constituted the court, and held the instrument before the court as coming under the terms "obligation to pay money," in the regulation. On the more general point raised by counsel, as to the right of the jury to judge of the law and the fact, and that to the extent of taking on them to decide on the legality or illegality of the regulation, from their own construction of the 53d Geo. III., his lordship dwelt at great length, urging upon the jury not to allow themselves to be carried away by any feeling they might have against an obnoxious tax, to assume a right which, he must say, was equivalent to setting themselves up as more capable of judging of the meaning of an act of parliament than the Board of Commissioners, the Court of Directors, the Supreme Government, and the Supreme Court. He reminded them that it was their duty, and he was sure, looking to the high respectability of the jury, he might depend on their doing that duty, to deal honestly and uprightly between the parties concerned; and they had nothing to fear from any quarter from the verdict which they might deliver. They could be called to account by no one for this verdict, save their own consciences as honest men.

The jury retired for upwards of an hour, and then returned a verdict for the defendant.

August 14.

A similar information was tried this day against the same parties, and on the same grounds; but in arguing the case, the defendants' counsel did not touch on the right of the jury to judge of the law and the fact, so far as to contend for their putting their own construction on the act of the 53d Geo. III. They dwelt chiefly on the legal meaning of the words, "obligation to pay money," contending that the instrument charged upon did not come within these terms.

Sir Edward Ryan again delivered his opinion on this question, stating that when he did so on Wednesday it was upon the question coming suddenly upon him; but since

since then he had consulted authorities more fully, and he was now more and more fortified in his judgment that bills of exchange do not come under the terms "obligations to pay money," in the section of the regulation rested on, as legally understood.

The *Chief Justice* charged the jury at great length, dwelling principally on the point how far they were bound to take the direction of the court on the point of law, involved in the terms "obligation to pay money." This direction his lordship held that they were bound to receive and to abide by, confining themselves to a verdict on the facts, but making it special if they had difficulties on the point of law. The learned judge went at great length, and with much eloquence, into the consequences of juries wandering out of their own particular duties, as laid down by those on whom the law had conferred the right of directing them, pointing to the evils which in the democratical states of antiquity had followed a somewhat similar practice. His lordship likewise warned the jury of what might be the consequences of this usurpation of right by them, as regards trial by jury, now extended to this country. It might lead to the withdrawing of this valuable boon, or other modes than that now in practice might be resorted to for raising the revenues of the state, where juries might be altogether excluded from judging of even the facts. The *Chief Justice* also dwelt at some length on the obligatory nature of an oath, and the religious feeling and impression on which it rested, as the bulwark of all civilized society. He conjured the jury to look to the solemn oath under which they acted, in taking on them to judge in this case of any thing beyond the facts, and to be satisfied how far, under this oath, they could proceed.

The jury retired and were enclosed for about two hours; at the end of which they returned a verdict for the defendants.

### MISCELLANEOUS.

#### PETITION OF THE NATIVES AGAINST THE JURY ACT.

A petition to the House of Commons from the Hindoo and Mahomedan inhabitants of Calcutta has been published in the newspapers of the presidency. It is evidently the production of an English pen, though signed by natives. We would willingly insert it entire, but its great length (it would occupy several pages) prevents our doing so. The following are the chief heads of complaint.

The petitioners complain that they have been long subjected to the criminal law of England, though by the 21st Geo. III. c. 70, § 17, they are entitled to the benefit of their own civil codes and usages in all

matters relating to marriage, inheritance and succession to property and contracts, and dealing between party and party; that the recent jury act, whereby they have been partially admitted to participate in the administration of those laws to which they are subject, contains provisions which seem to betoken a distrust of them which they feel to be unjust, and which brand them with a stamp of inferiority in the eye of the law, and establish and perpetuate distinctions not only useless but odious and impolitic; that they are thereby subjected to heavy disabilities for adhering to the religious opinions of their forefathers, in the full enjoyment of which they are secured by repeated acts of the legislature, and repeated assurances of the local government; that nearly fifty years since, a committee of the House reported that the petitioners ought to enjoy, to its fullest extent, the right of sitting on juries, and did not couple that recommendation with any reserve on the ground of religious opinions; that the act itself proves that as the legislature has deemed them worthy to enjoy the privileges, and competent to perform the duties of jurors in so many instances, it is clear that it has deemed them capable of performing those duties in all cases, though in all cases it had not chosen to confer the privileges of performing them; that the grounds on which they are excluded from grand juries, and from petty juries on the trial of Christians, are fallacious; that the act is consequently unpopular with the respectable natives of Calcutta, and will become still more so, till no Hindoo or Mahomedan will willingly serve as a juror; that the only reasons by which they can conceive these invidious exclusions are supported, are these: *First*, it may be intended to operate as a motive to conversion to Christianity, intimating to the people of India in this indirect manner, that the road to European privileges and distinctions can only be reached by a profession of the religion of Europe; *Second*, it may have been supposed that persons professing the Christian religion constituted a minority of the inhabitants of Calcutta, and that the numbers of the Hindoos and Mohomedans would afford an opportunity for dangerous and unjust combinations which would hazard the safe and impartial administration of justice; *Third*, it may also have been hastily supposed that there were no individuals professing the Hindoo or Mohomedan religions who moved in that rank of society from which grand jurors are selected; *Fourth*, it may have been considered that as the grand jury are called upon to judge of the value of evidence without the aid of counsel and judge, such functions required an intellect of a higher order than necessary for a petty juror, and than that possessed by any competent number

number of respectable Hindoos or Mohammedans in Calcutta; that if the first reason existed, the petitioners felt it to be a sacred duty to express their grief, astonishment, and alarm, since the legislature, as well as the local government of the East-India Company, is bound by the most solemn and repeated pledges to protect the natives of India in the full enjoyment of their laws, customs, and religion; that "the better classes of the natives of India are placed under the sway of the Hon. the East-India Company, in a state of political degradation which is absolutely without a parallel in their former history; for even under their Mohammedan conquerors, such of your petitioners as are Hindoos were not only capable of filling, but actually did fill, numerous employments of trust, dignity, and emolument, from which, under the existing system of the Hon. Company's government, they are absolutely shut out;" that if the second be the reason for exclusion, namely, that the Hindoo and Mohammedan jurors would outnumber the Christian (which is not the fact), a remedy for the supposed evil might at once be provided by taking care to have juries formed according to the custom of England in analogous cases (where either party desired it), half of Christians and half of Hindoos or Mohammedans, and it would be easy to enact that in no case more than eleven persons professing the Mohammedan or Hindoo religions should ever sit on the grand jury; that the third reason is groundless, inasmuch as it was once one of the favourite objects of the British government in Bengal to raise a landed aristocracy, which originated the permanent settlement; and since the commencement of the present century, a new race of landed proprietors possessed of more energy and capital, and enjoying great wealth and consequence, has been created in the lower provinces of this presidency, some of whom actually reside within the limits of Calcutta, and the free trade of late years has also improved the condition of the generality of the native inhabitants of Calcutta, so that there are now within its walls native merchants in wealth equal, in intelligence but little inferior, to the most respectable of its European commercial residents; that, with respect to the last reason, the duties of a petty juror, if not so honourable, are more difficult, than those of a grand juror, and requiring more sagacity, and the petitioners submit that though necessarily inferior in knowledge of the laws of England to European gentlemen, yet they are in fact, from their superior acquaintance with the very peculiar habits, manners, and prejudices of their own countrymen, much better qualified to judge of the value of their testimony; that, in regard to their exclusion

from juries on the trial of Christians, "they feel the operation of the new law, which has been an unqualified boon to many classes and races of their countrymen hitherto labouring under the same exclusions as themselves, and whom they cannot deem more worthy of relief than they are, to be for this very reason doubly injurious and degrading to the Hindoo and Mohammedan inhabitants of Calcutta; it is injurious, not only because it exposes them without defence to the operation of prejudices arising from religious feelings, amongst the strongest which actuated the human mind if once awakened, but because the India-born Christians, being much more numerous than the Europeans, and intercourse between them and Hindoos and Mohammedans much more frequent and familiar, feelings of rivalry and animosity are more likely to exist between them than between your petitioners and Europeans, with whom their intercourse, though increasing, is necessarily more limited; it is degrading, because your petitioners now see those whom they certainly never regarded in any point of view as their superiors, and who were never so regarded by the European residents, elevated above them by the sole circumstance of their religious profession; while your petitioners saw that the more valuable privileges of the English law and the rights which it bestows were confined to the ruling class to Europeans, who, coming from a distance, might be supposed to have no local partialities or passions, and who were comparatively few in number, your petitioners were contented to submit without repining to a state of things in which they were not distinguished from the rest of their countrymen of any description; but now that they behold themselves branded with inferiority, and a numerous and increasing class of their own countrymen, who were before scarcely even on a level with themselves in public opinion, withdrawn from their community to be enclosed within a circle of immunities into which your petitioners are debarred from penetrating, they feel themselves practically degraded in the same measure as their countrymen are exalted and experience the deepest humiliation: if it were indeed necessary to protect the Christian population of Calcutta from the possible operation of Hindoo or Mohammedan prejudices in the administration of criminal justices, surely it would be at least equally necessary to protect Mohammedans and Hindoos from the operation of Christian prejudices, and your petitioners would implore your hon. House to extend to them the safeguard which must then be deemed essential to their well-being." The petitioners conclude with praying that the legal distinction between them and their fellow subjects, which  
this

this act has established, may be abolished altogether, either by permitting half the jurors to be chosen from those persuasions in all cases in which a Hindoo or Mohammedan may be arraigned at the bar of justice, or that the enactments of the third section of the act may be simply repealed, and the formation of the jury lists left to his Majesty's judges.

The petition is published in the *Hurkaru*, with 127 names attached, which appear to be Hindoo; and it is said that 102 "respectable Musulmans" had also signed it, whose names are not published, "they having signed them in the Persian character." These names were, however, afterwards published.

The *John Bull* characterizes this petition as "a radical trick," and states that "the native petitioners are mere tools in the hands of a faction working for the accomplishment of its own selfish purposes." It also states that "among all the names published, there are few, if any, above the rank of moonshes and writers in public offices,—and it is conjectured khansamahs and coachmen," though designated as "respectable Musulmans." There is something ridiculous in such persons considering themselves superior to their Indo-British countrymen.

#### JUDGE DALE.

In our paper of the 15th inst. we noticed a motion in the Supreme Court for a criminal information against David Dale, Esq., a civil servant on the Bengal establishment, and judge and political agent at Moorshedabad. This motion was grounded on affidavits, that Mr. Dale had imprisoned and forcibly detained a native of the name of Zeemrut Ally Khan, thereby preventing him attending the trial of a cause in the Supreme Court, in which he is plaintiff. It was also sworn by several natives, that he required the plaintiff to take back the subpoenas of certain witnesses summoned in the case. Mr. Dale, in a letter which appears in another part of our paper, affirms that Zeemrut Ally Khan was never confined by him for a single hour, and that no coercive measures were employed by him for the purpose of inducing Ally Khan to withdraw his suit against Pertaub Doogan, or for any other purpose; expressing, at the same time, his conviction that the witnesses, whose subpoenas he is represented as having required the plaintiff to keep back, had arrived in Calcutta before Mr. Turton's motion was brought forward. We should be sorry to pay Mr. Dale so poor a compliment as to hesitate for a moment between his assertion and any native affidavits that would be filed. We believe, and we are happy to do so, that the whole has been a vile conspiracy against this gentleman.—*Cal. John Bull*, July 22.

#### NATIVE PAPERS.

The following is a curious specimen of the importance which native editors attach to trifles: it is an extract from one of the *Ukhbars*.

"*Asof Jah*.—Milk continued to be the diet of his Highness, and the tabeecs were constantly engaged in examining the nature of the different sorts brought for the Nawab's use. One day his Highness said that he could not perceive any benefit derived from drinking the milk; upon which chickens were deemed advisable, and Ha-keem Gholam Hussain Khan was directed to consider of some other prescription which might be more suitable to the Nawab's constitution. Gholam Hussain replied that he had consulted repeatedly with other physicians, but he could not agree to the course of medicine they recommended, and therefore he left the matter to the pleasure of his Highness. He then was ordered to prepare an infusion, or tincture, of endive, and other herbs."

The following intelligence is dated "Poonah":—"Letters from the zillah of Khandesh mention that a number of Pindarees had collected together among the hills, with an intention of resuming their predatory warfare, and invading the more cultivated quarters of the country. A force had been sent to disperse them."

A Lahore *Ukhbar* contains this paragraph: "In a former *Ukhbar* it was mentioned that an agreement of marriage entered into between the Rajah of Kot-Kangra and one of the family of Rajah Dhean Singh, had for some alleged reason been broken off. In consequence of this rupture, the Rajah of Kot-Kangra had manifested a strong disposition to proceed to hostilities, and his Highness (Runjeet Singh) had deemed it prudent to despatch Kinoor Kliergh Sing, and other confidential persons, with a large force, to prevent the apprehended tumult. The movement of the troops as far as Joalamukhee, and the dread of the country being laid waste, seem to have operated powerfully on the belligerent party, and reduced him to terms. The rajah thought it at last advisable to consent to the projected nuptials, and signed the usual document accordingly. To avert personally the wrath of the Maharajah, he made the best of his way to Deenanagur, and appeared unexpectedly before his highness with the customary presents. All the matters in dispute being amicably arranged, the forces sent on the expedition against Kot-Kangra were ordered to return."

#### AFFRAY AT AN INDIGO PLANTATION.

The affray near Furreedpore, mentioned p. 88, in which an indigo planter was said to have been "assaulted by a body of natives,

tives, and most cruelly mutilated, having had his nose and ears cut off," turns out, as might have been expected from the authority we quoted for it (the *Hurkaru*), to be a gross exaggeration. The facts are stated in a letter from Fureedpore as follows:—A zemindar in the vicinity of a factory, excited either by a real or imaginary grievance, instigated his villagers to rise in a body for the purpose of taking summary vengeance upon the author of his wrongs. Accordingly one day when three gentlemen were passing that way on horse-back, they (amounting to several hundreds) prepared to attack them, which being perceived by the *Blues*, they endeavoured to make their way through the mass collected. Two of them succeeded; but the other, being unluckily upon a small pony, was unable to force his way, and was speedily attacked by the infuriated natives (who were in a state of intoxication) with bludgeons, and other weapons, pulled off his horse, knocked and beat when down; in short, so mutilated (lacerated) that his friends could with difficulty recognize him. During the unequal contest, they were loudly vociferating "kill him, kill him!" indeed, had not the gentleman been possessed of a good portion of bodily strength, they would certainly have accomplished their criminal purpose; but as he determined to sell his life as dearly as possible, and having left some marks upon several, they drew back, and it was then that their head sirdar discovered he was not the sahib they had proposed to attack, that gentleman having been one of the *Hunkirk riders*. Upon making this discovery they became alarmed, begged and entreated him not to mention the affair, and endeavoured to intimidate him by saying if he did so, they would confront him with those of their party whom he had injured. The gentleman, however, taking a different view of the assault, and thinking (as well as feeling) there had been but little sport in the exertions he had undergone, laid the transaction before the magistrate, by whom several of the ringleaders have been apprehended, and the business is undergoing a judicial investigation.

#### INFLUENZA.

A kind of endemic catarrh, or influenza, we understand, has for the last few days been prevalent in Calcutta, principally among children, but not confined to them. On the whole, the present has been (here at least) a very insubrious season for young people.—*India Gaz.*, July 19.

The weather for some time past has been remarked by all as singularly unseasonable, and has consequently been very generally unhealthy. We are sorry to observe that the mortality among young

children is still very extensive, and we hear of many adults complaining. The hot and dry state of the air at this season is uncommon, and few remember so very scanty a fall of rain up to nearly the middle of August. Appearances indicate at times a copious fall of rain, but they terminate generally in little more than a few heavy showers of short duration. We have not, we believe, had four hours' rain upon end since the commencement of the rainy season, yet the rivers have risen even above their average height at this time of the year, a clear proof how much more they depend on the melting of the snows of the Himalaya than on the rain that falls in the plains.—*Cal. John Bull*, Aug. 12.

#### INDIGO CROP.

The probable amount of the indigo bought in the market this season, as estimated by the most intelligent individuals, from the state of the manufacture and condition of the plant, will be about 75,000 or 80,000 maunds; but a greater proportion than usual, it is feared, will be of an inferior quality.—*Cal. John Bull*, Aug. 7.

The reports of the crop now in progress of manufacture continue unfavourable.—*Cal. Pr. Curr.*, Aug. 14.

#### BISHOP HEBER'S JOURNAL.

The extracts which we have given from the journal of the late Bishop Heber have called a considerable degree of public attention to the work; and we regret to say, that public opinion on its merits as a faithful and correct picture of Indian matters, does not run in that channel which the friends of so truly worthy and amiable a man could have wished or expected. We scarcely know an instance of posthumous publication, where so many bitter regrets are mingled with much of a satisfactory nature. Had those who superintended the publication of the journal exercised a sound discretion, a volume might have been given to the world, less indeed in magnitude, but far greater in value than the present; unless indeed we adopt the principle, that even the errors and mistakes of so shrewd an observer afford a lesson not to be despised, inasmuch as it teaches the necessity of close investigation and ripened inquiry before opinions are formed and judgments delivered as to the state of Hindoostan, and the best policy to be pursued in providing for its varied and extended interests.—*Cal. John Bull*, July 26.

#### ATTACK ON CAPT. WARLOW.

The following is an extract of a letter received from Cawnpore, and dated 20th June: "Capt. Warlow (of the corps of engineers) was nearly murdered by one of his serjeants last night. It seems com-  
plaints

plaints had been made by the wife of the latter of ill-treatment to the brigade-major, who referred her for redress to Capt. W., and, in revenge, the villain drew a sword he had concealed and cut him (Capt. W.) in many places. The act is said to have been a most deliberate one, the serjeant having gone some distance to Capt. W.'s quarters to effect his purpose. Capt. W.'s wounds are not considered to be very dangerous, and every hope is entertained of his recovery."

#### THE POST-OFFICE PEONS.

Yesterday morning the peons of the general post-office failed to attend, in consequence of one of them having been slightly punished for gross neglect of duty in delaying to deliver, for many hours, a letter of importance the preceding day. The postmaster-general, to prevent inconvenience to the public, immediately issued a public notice, requesting persons to send to the office for their letters. The police has since put the affair to rights, and the peons are now at their duty.—*Cal. Gov. Gaz.*, Aug. 7.

This occurrence, it seems, was magnified into some importance in the *Hurkaru*, which paper asserted that there had been a general strike of the peons, and the whole establishment of the office had nearly followed their example, in consequence of a system of retrenchment, beginning at the wrong end, with the subordinates of the post-office; that "the clipping system was applied to the poor devils of the hurkarus, and the head assistants, who had served for years, were informed that a deep indent was to be made upon their allowances." The whole of these statements the postmaster-general (Mr. Stockwell) distinctly denied, observing that the only reduction of pay or allowance made or intended, was in the salary of the postmaster-general himself. The *Hurkaru* pretended it had been misled, and retracted and apologized for the statements.

The continual inaccuracies and misrepresentations in the *Hurkaru*, which are not redeemed by the exhibition of any talent, have induced us to discontinue the importation of the paper.

#### SUTTEE.

The following account of a suttee is furnished by one of the civil officers of the government, who witnessed the fact, which occurred in the Upper Provinces in the month of June:—

I was sitting after dinner about five in the evening when notice was brought that a female of the Caysht class, whose husband had deceased, wished to burn herself on the pile, and that she refused to listen to any remonstrances. I lost no time in proceeding to the spot, with another gentle-

man, when we found the woman sitting before her door on a charpoy, on which also was the corpse of her husband. She was about thirty years old, or perhaps younger, rather good looking, and profusely decked with jewels; she was likewise adorned with flowers. As a first step to effect the saving of the unfortunate creature, all her relations, who are generally the secret prompters to this act of immolation, were removed from about her, although they themselves declared that it was not done by their desire, and that they wished her to live. I then proceeded to ask her the reason of her burning, what good she could expect by it, what would become of her family, and whether she had been persuaded to it by her family or the Brahmins? To these queries she replied, that she was fated to undergo this; that she had passed through six stages of existence, and this seventh would end her miseries and send her to heaven. That as God provided for her, so he would for her family, and that although the Brahmins had told her that burning herself was praiseworthy, yet the resolution was her own, and not produced by their entreaties. Lest such questions, coming from Europeans, should carry with them less weight, they were again put to her by a native, to which she returned similar replies. From her manner of answering these questions, from her cool, calm, and collected behaviour, and from her perfect perception of all which went on, I was fully convinced (and so was the gentleman who was with me) that the woman was neither intoxicated nor stupid; but to render the case more certain, some respectable natives who were among the crowd, of castes different to the woman, were called and desired to report if she was actually in her senses; they unanimously reported in the affirmative. After using some further arguments, to which the woman turned a deaf ear, I could only proceed to inquire if the suttee was in every respect legal, according to the orders passed by government, the result of which was, that nothing could prevent it. At this time the woman herself said that the sun was fast declining, and begged she might be carried to the pile. Every expedient had been tried, and further endeavours were useless, she was lifted up on the charpoy as she sat, together with her husband's corpse, but none of her relations or Brahmins were allowed to come near her. Arrived at the place of execution (for such it literally was), she was placed on the ground, and her relatives began to build the pile, which had not been previously commenced on. The crowd assembled to view this scene was immense, and similar to the conduct of natives in cases of execution, or any other solemn occasion, was characterized with extreme levity and want of feeling. At this period,

once more was every endeavour used to divert the woman from her purpose, she was offered a maintenance for life, with protection from her relations; she still persisted, and would listen to no dissuasion. As a last resource, her children were brought and put before her, with the idea that perhaps some latent feeling of maternal tenderness might be awakened. She placed her hand upon the head of one, but said not a word. A second time people were called to see if she was in her proper senses, and a second time they said she was, which I am convinced was too true. We awaited in silence the completion of the pile, and finding all endeavours useless, she was delivered over to her relations. Steadily she walked to the water and bathed, while her husband's corpse was placed on the pile. Steadily did she walk round it, and with as firm and composed a countenance and as steady a foot did she mount it. More wood being placed on the pile, but not one log that could have impeded her free motion, there was she told that any time, even to the last, she might leap off if she wished it, and police officers were placed on all sides to hinder any one from molesting her, and to protect her in case of her attempting to escape. The woman sat upright on the pile, fire was set to it, and there she sat for three minutes in the same position. The wind was fierce; ere the second minute had elapsed she must have actually felt the flames; ere two minutes she was completely surrounded and was burning, but neither cry nor groan escaped her. About the third minute, by God's providence, she must have become insensible, and fell upon the pile.

Be my readers advocates or enemies of disallowing this system, let them pause and reflect. In this case, every earthly persuasion was used, every earthly inducement called into action to prevent the female from burning herself. She was in the perfect use of her senses, she was not hastened on to her end by her relations, she might have escaped, even to the last moment she possessed consciousness, even while she was burning with fire, but she would not.

#### THE BISHOP OF CALCUTTA.

The Bishop returned to Calcutta, being prevented by severe indisposition from prosecuting his journey into the interior on a visit to his diocese, and embarked on board the *Marquess of Huntly*, bound to Penang. Upon reaching the ship, his lordship's health was somewhat mended.

#### STEAM NAVIGATION.

We have in a preceding volume adverted to a project of Mr. Thos Waghorn, of the Bengal pilot service, for con-

veying the mails between England and India in steam-packets. Mr. Waghorn, when recently in England, received the strongest assurances of encouragement (his ability and experience being undoubted) from the Court of Directors, and the great body of East-India merchants in London. The Directors have pledged themselves to provide Mr. Waghorn with engines, as soon as he shall be prepared to make the experiment.

Mr. Waghorn has published at Calcutta, in a letter addressed to the subscribers to the steam-navigation fund, an outline of his plan; the following are extracts. He says:

"I propose that the vessel for the intended experiment should be in size about 280 tons, in model like the *Monarch* and *Sovereign*, Norway packets, which are remarkable for the three qualities most essential in every vessel, but above all in a steam one intended for a very long voyage, viz. stability, buoyancy, and fast sailing. The masts of the vessel I would have fitted after the fashion of the row-boats in this river, to strike when required. The yards to be very square, but of the lightest possible dimensions, so as to spread a large quantity of sail, without too much top weight; even the canvas itself to be of the lightest quality consistent with strength. The rigging of the masts and yards to be so fitted that in four hours they may be got up or down. The vessel to be schooner-rigged on a wind, and square when before it. In order that the whole space of the vessel under hatches may be available for fuel, and more particularly the shifting of it below as ballast, her only accommodation for officers and crew will be a round-house on deck. With regard to fuel, she will stow 40 tons in tanks, and the rest, about 200 tons in all, in bulk. The tanks, when emptied, will be filled with salt water, for ballast: by a peculiar contrivance, already arranged with the engineers at home; this water could run into the vessel, and be thrown out again by the engine in light winds, so as to increase speed, and fill again at pleasure. The plan of sailing will be, according to my present view, as follows:—The vessel will start from Falmouth with the mails for Madeira, Cape, Isle of France, and India, no passengers, no cargo, but simply letters and parcels; letters 4s. each, and parcels the same charge, by the ounce, for which charge the sanction of the authorities, both here and at home, I would apply for. The depôts for coals I would arrange as follows:—Madeira, Cape, and Isle of France, touching at Tricomalee and Madras, in the S.W. monsoon, to land letters, but, if possible, without anchoring. I do not conceive it at all necessary to have more depôts between the Isle of France and India; for I am informed that I could

could always procure sufficient at Trincomalee to bring me on to Calcutta. In the N.E. monsoon we should not touch at Trincomalee or Madras, on account of the strong opposing winds and currents on the Coromandel coast; she will come up the Bay of Bengal, on its eastern side, in sight of the islands, where the winds are moderate or light, and the currents trifling. At Calcutta she would remain only ten days for the mails, calling at Madras on her way back, and remaining a few hours there."

He elsewhere states the capital required to commence the undertaking, in other words the outlay, at £12,000, exclusive of the engines. Taking the number of letters brought out by the *Undaunted* frigate as a criterion, he calculates that the receipts for letters only, out and home, would amount to £4,137. He says: "I believe the public are already convinced that I may succeed in the passage I contemplate, viz. out and home, from Falmouth to Calcutta, in six months (stoppages included), calling at Madeira, Cape, Isle of France, Trincomalee and Madras, carrying mails to and from those places (when the season of the year will permit), both out and home. I would at these places, except Madras, have my depôts for coals."

On the 30th July, a general meeting of the subscribers to the fund for the encouragement of steam navigation between Great Britain and India, was held at the Town Hall, for the purpose of taking into consideration the propositions of Mr. Waghorn. Commodore Hayes was called to the chair; when Mr. Waghorn's letter, stating his proposed plan of a steam-vessel, the probable amount necessary for outlay, and the means of reimbursement, was read to the meeting.

Mr. G. A. Prinsep differed from Mr. Waghorn principally on two of his estimates. First, the quantity of coal necessary, which, he said, would be less than what Mr. Waghorn had stated; and, secondly, the number of letters likely to be received for carriage, which he thought was overrated, and that there was no hope in this case of a remunerating fund on the receipt of letters to make up for the necessary disbursements. He was of opinion also that Mr. Waghorn could not succeed in bringing the vessel out in less than 85 days, and that letters might be conveyed from Calcutta to Cossier in 29 days, thence to Cairo in 2 days, and thence to London in 23 days, going the entire distance in 54 days, instead of 85 days.

Capt. Johnson made a few remarks on the circumstances which he considered tended to the partial failure of the *Enterprise* in making her voyage to India within the specified time. He spoke of Mr. Waghorn, from personal knowledge; as an in-

dividual of persevering industry and unshaken self-possession in the hour of danger; and he said he conceived that if any person could carry the projected speculation into effect it would be Mr. Waghorn. He said he felt convinced that a vessel of proper dimensions would make the voyage in 70 days; but, at the same time, he was certain that she would never pay the necessary expenses. He differed from Mr. Waghorn on one part of his plan. The machinery for a vessel of 280 tons would be 100 tons, and if he added 180 tons of coals to make up her registered tonnage, she would be too deep at leaving port; he would, therefore, suggest to Mr. Waghorn the expediency of having another depôt of coal, so that the vessel may at no time be too deeply laden, and he may be better able to ensure success.

The meeting came to this resolution, that "should no speculation promising greater or equal success be undertaken before the 19th of January 1829, the unappropriated fund for the encouragement of steam navigation shall, under proper security, be applied for the purpose of enabling Mr. Waghorn to carry his plan into execution."

Mr. Waghorn states that the support he had received and been promised did not make up the amount of the outlay (including £1,000 of his own); that he was about to proceed to Madras, the Isle of France, and the Cape, for further encouragement; but that if he failed to raise the sum specified, he should not attempt the experiment.

#### — AFFAIRS IN AVA. —

The *Irawaddy*, from Amherst Town 23d July, has, we understand, brought two lacs of rupees. Every thing quiet to the Eastward.—*Cul. Gov. Gaz. Aug. 4.*

#### — UNITARIANISM AND DEISM. —

Those who, like ourselves, are orthodox in the faith and pray fervently for deliverance from all manner of heresy and schism, will not regret to hear that the attempts to propagate the doctrines of Unitarianism through a society, or committee, lately organized at this presidency, are not likely to prove very successful. We understand the operations of this society are at a stand-still from the want of zeal in its members, and the consequent hopelessness of gaining proselytes to the cause. It is added that some of the most distinguished native gentlemen who had joined its ranks, if they deserve not a higher reputation as its founders, have received "a new light," and from Unitarianism very naturally slid into pure Deism, and erected a chapel or temple, or by whatever name it may be known, where the Veds have taken the place of the



the Scriptures. A friend, to whom we are generally indebted for information on what is going on in the religious world, tells us that at this chapel, which was only opened a few days ago, the service commenced with the singing of a hymn, after which prayer is offered up. Some doctrinal part of the Ved is then read; after which follows another hymn. Then comes the sermon from a text selected from the Veds; the officiating minister lecturing from a separate room, that the Veds may not be desecrated by being in the same apartment with the *profanum vulgus* of hearers. It is not without considerable regret that we understand that a well-known Hindoo gentleman is at the head of this new sect. We have always spoken of this gentleman, when we have found occasion to allude to him, in terms of high respect; and he will not misunderstand us when we say, that the present aberration from the path, into which we were once sanguine in our hopes that he would ultimately turn, has given us very great regret. We had hoped much from his character, talents, and influence, in effecting what we fear the Christian missionary must labour long before he can accomplish; but if our information is correct, this door of hope is closed upon the prospect of Christianizing British India.—*Cal. John Bull*, Aug. 23.

#### DISTURBANCE AT JUGGERNAUTH.

We understand that some disturbance had taken place at Juggernaut, in consequence of some sacred rice having been scattered about in the temple, in a manner that gave umbrage to the Brahmins. A number of the pilgrims, principally sepoys, had been beat severely, but no blood shed, although a considerable tumult had been excited.—*Ibid.*, Aug. 18.

#### LIEUT.-COL. DICKSON.

Lieut.-Col. William Dickson was the eldest son of the late Thomas Dickson, Esq., of Southampton, and was the last of three brothers, who all entered the East-India Company's military service on the Bengal establishment, and who have all died in Bengal, either on the field of battle or from the effects of the climate. Lieut. Henry David Erskine Dickson fell at the siege of Deeg; he was ordered out of the trenches to oppose a party of the enemy, who threatened an attack on one of our flanks, and the company he commanded were nearly all cut to pieces, their gallant young officer being mortally wounded. The officers of his regiment afterwards presented his sword to his brother William, with an encomium on the high character and distinguished conduct of their lamented comrade. Capt. Francis Dickson served during the Maharratta campaigns with very great credit,

and in the Nepal war, where his conduct during a separate command which he was appointed to hold (during which he succeeded in capturing the forts he was sent to attack), attracted the attention of Lord Hastings, who in a despatch written by himself acknowledged the merits of Capt. Dickson's services. Lord Hastings afterwards placed him on his personal staff; he fell a victim to cholera, having risen apparently in perfect health and becoming a corpse before sunset.

The subject of this brief memoir was one of the most distinguished cavalry officers in the Bengal army. He entered that army in the year 1802. In the campaigns of Lord Lake he was wounded in the thigh, and the ball was never extracted. On this occasion Lord Lake received him into his household, and treated him with great kindness and attention. He was soon after again employed in very active service, and was again wounded at the battle of Laswarrie. He was mentioned by Lord Lake in public orders as having much distinguished himself on that memorable day, in command of the guns of one of the brigades.

The literary talents of Col. Dickson were of a very respectable order. He was frequently engaged in discussions on the subject of cavalry arrangements and the circumstances of the stud department, having been several years employed by the Bengal government in conducting one of the principal stud depôts and superintending the breed of horses in one of the provinces.

He died on the 24th July last, at Kurnaul, where he commanded the 7th regiment of Light Cavalry. His death was occasioned by fever induced by a disease of the liver, to which he had long been subject, and which had obliged him formerly to take trips to the Cape of Good Hope and to England: this disease had been moderated by very abstemious habits.

As an officer he was strict in the enforcement of discipline, but conciliatory to those under his command, by whom he was much beloved. In the relations of private life his manners were amiable and courteous, and his domestic character was exemplary. He has, we believe, left a widow and several children, who are resident in England.

#### SHIPPING.

##### Arrivals in the River.

Aug. 5. *Buffon*, Passament, from Bordeaux and Bombay.—8. *Emulous*, Wellbank, from Mauritius and Madras.—10. *Minstrel*, Arkoll, from London, Cape, and Madras; and *Eleanora*, Lafette, from Bourbon.—11. *Providence*, Ford, from London and Madras.—13. *Craigievar*, Ray, from London and Mauritius.—14. *La Clara*, Deryckey, from Bordeaux and Mauritius.—16. *Prince Regent*, Richards, from Madras; *Princess Charlotte*, Stephenson, from Mauritius; and *Copenhagen*, Stevens, from Isle of France and Madras.—17. *Greenock*, Miller, from Leith, Rio de Janeiro, and Sydney;

Sydney; *Anna Robertson*, Irvine, from Isle of France and Madras; and *Clifton*, Mitford, from ditto ditto.—18. *Rapid*, Huntley, from Liverpool; and *Midas*, Watson, from N.S. Wales and Timor.—19. *Melina*, Mordaunt, from Bombay and Madras.

#### Departures from Calcutta.

*Aug. 8.*—*Cartha*, Lindsay, for Bombay.—*G. Mary*, Bamber, for London.—*7. Packet*, M'Arthur, for Glasgow.—15. *Madras*, Christian, for Liverpool; and *Mary Ann*, Boucant, for Mauritius.—16. *Lady Holland*, Snell, for Madras and London; and *Sir Francis Macnaghten*, Beverly, for China.—17. *Arabian*, Wells, for Liverpool; and *Asia*, Ager, for London.—18. *Circassian*, Douthwaite, for Madras and London; *Buffon*, Passemant, for Bourbon; and *Camden*, Terry, for Isle of France.—19. *Alacritty*, Findlay, for Cape of Good Hope; and *Fifehire*, Crawley, for Bombay.—21. *Cocina*, Stavers, for Penang, Malacca, and Singapore.

#### Departures from Saugor.

*Aug. 13.* H.C.'s ships *Marquess of Huntley*, *Fraser*, and *Reliance*, Timins, both for China.

#### BIRTHS.

*July 23.* At Kurnaul, Mrs. Higgins, of a daughter.

25. At Allygurh, the lady of Capt. Debude, of engineers, of a daughter.

26. At Agra, the lady of Capt. J. Orchard, 1st bat. European regiment, of a daughter.

28. At Kurnaul, the wife of Riding Master U. Jordan, 7th L.C., of a daughter.

*Aug. 1.* At Dinapore, the lady of Capt. Jas. Steel, dep. judge adv. gen., of a son.

3. At Nauthpore, the lady of Lieut. A. A. Williamson, 25th regt., of a son.

4. At Lucknow, the lady of Alex. Chalmers, Esq., M.D., of a daughter.

— At Calcutta, the wife of Mr. Jas. Keymer, master pilot H.C.'s marine, of a daughter.

6. At Calcutta, Mrs. Wm. Thacker, of a son.

6. At Chinsurah, Mrs. M. Z. Shircore, of a son.

7. At Calcutta, the lady of Longueville Clarke, Esq., barrister at law, of a daughter, which died shortly after its birth.

9. At Calcutta, the lady of John Stanley Clarke, Esq., civil service, of a son.

— At Calcutta, the lady of Capt. C. Cowles, of a daughter.

10. At Garden Reach, the lady of Sir Edward Ryan, of a still-born female child.

13. At Calcutta, Mrs. C. M. Vaughan, of a son.

14. At Calcutta, the lady of N. J. Halhed, Esq., civil service, of a daughter.

— At Calcutta, Mrs. Thomas Black, of a son.

15. At Calcutta, the lady of W. T. Beeby, Esq., of a daughter.

17. At Barrackpore, the lady of Lieut. and Adj. G. Urquhart, 65th V.N.I., of a son.

19. At Neemuch, the lady of Lieut. Alexander, of a daughter.

21. At Calcutta, Mrs. John Heberlet, of a son.

22. At Calcutta, the lady of T. B. Swinhoe, Esq., of a son.

#### MARRIAGES.

*Aug. 4.* At Keltah, Capt. Latouche, major brigade, to Frances, third daughter of Brigadier Maxwell, C.B., commanding in Bundelkund.

5. At Calcutta, Mr. Wm. Wood, Treasury, to Miss Emmeline Clayton.

7. At Calcutta, Mr. T. Drew, of the town-guard, to Mrs. M. Farrell.

14. At Calcutta, Cuthbert Finch, Esq., M.D., assist. surg., to Mary Sarah, daughter of the late Capt. Hamilton, Bombay marine.

19. At Calcutta, Mr. Charles Urage to Miss Amelia Hilary.

#### DEATHS.

*July 14.* At Meerut, Capt. A. J. Byram, H.M.'s 16th Lancers, in his 34th year.

16. At Agra, Capt. William Sargent, 68th Bengal N.I.

— At Futtchghur, Maria, wife of Mr. R. Blake, foreman of the late Furruckabad mint.

20. At Calcutta, Mrs. Ellis Carrau, aged 17.

21. At Calcutta, Miss Eliza C. Young, daughter of Alex. Young, Esq., aged 16.

24. At Kurnaul, Lieut. Col. Wm. Dickson, in command of 5th Light Cav.

25. At Purneah, Mr. J. M. Ernest, head assistant to revenue department, aged 26.

27. At Bachakally factory, Mr. P. M. David, aged 37.

28. At Calcutta, George, fifth son of the late Adam Barl, Esq., M.D., of the Hon. Company's service, aged 26.

29. At the Lunatic Asylum, Bhoynipore, Mrs. Ann Beardsmore.

30. At Shahjahanpore, Lieut. Col. J. S. George, 29th regiment.

31. At Jungypore, district of Moorshedabad, Mr. C. J. Jordan, of Burrisaul, aged about 20. This young man was struck dead by lightning.

*Aug. 1.* At Bhurtpore, Capt. W. Guise, 21st N.I.

3. At Calcutta, Mr. P. Lobony, of the Government Gazette press, aged 20.

— At Chowringhee, Mr. Richard Chalke, assistant in the garrison store-keeper's office, aged 20.

5. At Culpee, the lady of Capt. W. Hodgson, 26th regt. N.I.

6. At Mullie, Lieut. Colonel E. Kelly, H.M.'s service, aged 54. He headed his regiment, the 2d Life Guards, in which he was then a captain, in a brilliant charge against the Cuirassiers at the battle of Waterloo.

7. At Calcutta, Christiana Charity, youngest daughter of Mr. A. E. Cameron.

10. At Calcutta, Mr. J. D'Silva, assistant in the board of trade, aged 45.

12. At Calcutta, Dr. Henry Both, aged 56.

13. At Chandernagore, Mr. Lewis Lefevvre, aged 44.

14. At Chandernagore, James, son of J. Erskin, Esq., aged 16.

— At Calcutta, Amelia, eldest daughter of Mr. C. Ridge, aged 19.

18. Drowned at Kedgerie, Capt. G. A. Mitford, commander of the ship *Clifton*. Capt. M. was formerly of the *Ganges*, of Liverpool.

*Latest.* At Beauvais, Ensign Morton, 43d regt. N.I.

— At Benares, Ensign Slacke, 43d regt. N.I.

— At sea, on board the *Roberts*, Mrs. Mary Rawlins, aged 53.

— At Bushire, Arrathoon Malcolm, Esq.

## Madras.

### GOVERNMENT GENERAL ORDERS.

#### COMMITTEE OF HEALTH.

*Fort St. George, April 11, 1828.*—The Right Hon. the Governor in Council deems it essential to the comfort and eventual security of the public, that a committee of health shall be appointed, for the purpose of investigating and reporting upon the state of health generally within the fort and the town of Madras and its vicinity, and of ascertaining the causes which may at any time be likely to produce disease among the inhabitants, and to point out such measures of prevention, whether of a general or local nature, as may appear best calculated to secure the public health.

The establishment of a committee of health cannot but be highly acceptable to the community at large. In its proceedings every one must be deeply interested, as its object is the preservation of the general health, by obviating and removing such causes of sickness as may be discovered to exist; and the Right Hon. the Governor in Council is confident that all ranks and classes of society will at all times be anxious to exert their influence

to aid and support the measures which may, on due deliberation, be found necessary for the general welfare.

The Right Hon. the Governor in Council has been pleased to nominate and appoint the following gentlemen to be a committee of health for the above purposes, *viz.* Mr. Surgeon McCabe, Mr. Surgeon Johnston, and Mr. Assist. Surgeon Lane.

#### ORDNANCE STORE DEPARTMENT ON THE COAST OF TENASSERIM.

*Fort St. George, May 27, 1828.*—The Right Hon. the Governor in Council has been pleased to fix the establishment of ordnance officers, native artificers, and store lascars, for the duties of the ordnance store department on the coast of Tenasserim, which includes the stations of Moolmien, Tavoy, and Mergui, as follows, *viz.*

Ordnance officers: 1 comp. of the 2d class, 1 conductor, 2 sub-conductors, 1 park and store-serjeant, and 1 magazine-serjeant.

Native artificers: 1 carpenter maistry, 1 smith do., 2 armourers, 7 carpenters, 5 smiths, 5 hammermen, 5 bellows' boys, 2 sawyers, 1 painter, 3 chickledars, 2 chucklers, 1 tinman, 1 turner, 1 caulker, 1 moochie, 2 coopers, and 4 bheesties.

Store lascars: 2 syrangs, 2 first tindals, 2 second do., and 100 lascars.

The allowance for writers and stationery to be the same as drawn for at present.

The warrant and non-commissioned officers, artificers, and store lascars, now doing duty with the store department on the Tenasserim coast, who are surplus to the above establishment, are required to be sent to Madras by the first opportunity, and they will, after the receipt of the present order until their arrival at Madras, be returned and drawn for as supernumeraries.

#### NATIVE LANGUAGES.—LORD CLIVE'S FUND.

*Fort St. George, July 1, 1828.*—The following extracts from letters from the Hon. the Court of Directors are published in General Orders.

Letter dated 16th Jan. 1828.

8. "In a late military despatch to Bombay, we have approved and sanctioned a proposition made by that government for granting an allowance of thirty rupees a month, for six months, to every officer who shall pass an examination in one language, and of the same sum for twelve months to every officer who shall pass an examination in two languages, at that presidency, and we now authorize you to make a similar allowance to each officer of your establishment who shall distinguish himself in a similar manner."

Letter dated 13th Feb. 1828.

4. "In our letter in this department, under date the 13th Sept. 1820, we had occasion to call your attention to the inconvenience experienced here from the widows of officers admitted to Lord Clive's Fund in India not being furnished with certificates from the presidency paymaster, shewing the dates up to which they had been paid prior to their leaving that country.

5. "And we have now to advert to the practice of permitting widows admitted at your presidency, but who may not have drawn any pension, to proceed to this country without being furnished with any certificate in proof of the latter fact; on their application for admission here, the paymaster of the Fund has not any authority beyond the statement of the parties to guide him as to the dates from which payment should be made.

6. "We therefore direct, that every person admitted by you to the benefit of the Fund shall, in the event of their not receiving any pension prior to their quitting India, be furnished with a certificate from the paymaster to that effect; and should any pension have been received, a certificate stating the date up to which payment has been made, and that you will notify in General Orders that, unless such certificates be produced, no person will be received on the Fund in this country."

#### PAY OF MILITARY CONVICTS.

*Fort St. George, July 8, 1828.*—The Right Hon. the Governor in Council has been pleased to direct that no native officer, non-commissioned officer, or soldier, who shall be committed to prison upon a charge of any criminal offence, shall be entitled to receive any part of his pay from the day of such commitment till the day of return to the regiment, troop, company, or detachment to which he shall belong, or which he shall be ordered to join, provided that if he shall be acquitted of the crime for which he was committed, and not otherwise, he shall, upon his return to his corps, be entitled to receive all arrears of pay which were growing due during the time of his confinement.

An allowance of one sanam per diem shall be paid to each military convict while in military custody prior to being delivered over to the civil power.

A similar allowance shall be paid to military convicts sentenced under the provisions of Art. vi. Sect. xii. Regulation V. A.D. 1827, from the date of their commitment to the time of their release.

#### STAFF PAY OF FARRIERS-MAJOR AND TRUMPETERS-MAJOR.

*Fort St. George, July 22, 1828.*—The Right Hon. the Governor in Council is pleased to

to fix the staff-pay of farriers-major in the European horse artillery, inclusive of their staff-pay as farriers, at twenty-one rupees per month; and the staff-pay of trumpeters-major, in the European horse artillery, and his Majesty's European dragoons, at fourteen rupees per month; both allowances to commence from the 1st instant.

### MISCELLANEOUS.

#### BISHOP HEBER'S MONUMENT.

At a meeting of the Committee of Management for erecting a monument to the memory of the late Bishop Heber, held in St. George's Church, 14th July 1828, the Hon. Sir Ralph Palmer in the chair, a report from the Committee of Management was read, wherein it is stated that the subscription collected for the erection of a monument in St. George's Church to the memory of that venerated person, amounted to Madras Rupees 28,720; that a copy of the resolutions of the general meeting engrossed on vellum was presented through the hands of the Rev. Thos. Robinson to Mrs. Heber, to whom the feelings so warmly and universally entertained and evinced towards the deceased bishop by the inhabitants of the Madras territories yielded a melancholy gratification. It further stated, that Mr. Chantrey had undertaken to execute the work. The design suggested by him is a marble figure of the bishop, rather larger than life, kneeling, with his hands clasped in the attitude of prayer, and turned towards the altar. He had been obligingly furnished with the picture by Phillips from All Souls' College, with a smaller portrait belonging to Sir Thomas Acland, with the prints taken from both, and with two or three shades in the possession of different friends; from all of which, he had no doubt, he should be able to obtain a good likeness. The committee expected the monument in about a year. Mr. Chantrey has another order for the same object for Calcutta, and another for Oxford. The sum agreed to be paid for the monument is £1,500, to which will have to be added about £100 for contingent charges; and sufficient funds have been remitted to England to cover the whole expense, leaving a surplus of Sicca Rupees 11,600 at interest in the government loan, now open, to be eventually appropriated, according to the resolution of the public meeting, in the manner best calculated to do honour to Bishop Heber's memory.

#### HEALTH OF THE PRESIDENCY.

This settlement has under the blessing of Providence escaped that dreadful scourge, the cholera, which has visited Bombay and Calcutta with such severity during this season. We ascribe this ex-

emption from so great a calamity in no trifling degree to the minor evil which assailed us in December last, to that violent tempest which destroyed so many wide spreading trees and impervious hedges, and left openings for a freer circulation of the air. We understand that the government have directed the special attention of the Committee of Health to the pruning of all trees and hedges that require it, and have placed some pioneers under them for this purpose. We hope that every individual will co-operate in their useful labours, and concur with them in endeavouring to remove all causes of putrefaction, and all avoidable obstructions to that which is the very source of health and life, "the nitrous air and purifying breeze."—*Mud. Gov. Gaz., Aug. 7.*

#### MURDER OF LIEUT. BENNET.

The murderers of Lieut. Henry Bennet, so long back as May 1826 (see vol. xxiii. p. 273) have at length been discovered and apprehended. The *Madras Gov. Gaz.* of August 20 states:—"It was generally supposed that Lieut. B. had fallen a victim to the revenge of some miscreants for some supposed injury, but it will be gratifying to his friends to hear that this was not the case, and that the murderers were not actuated by any personal hostility to him, but, on the contrary, the murder was committed by a band of desperate men, chiefly Bheels, who accidentally came upon his tent when proceeding to plunder grain; one of the gang, it appears, had been in confinement several years at this station for some misdemeanor, and on finding that it was an European sleeping outside the tent, declared his intention of taking vengeance upon Europeans in general, by murdering this unfortunate young man; and it is to be regretted that the prospect of gain by plunder operated too powerfully on the minds of his accomplices, who readily became aiders and abettors in the assault and robbery, which they effected without any resistance, the servants and followers having with their characteristic cowardice deserted their master on the first alarm. The murderers were discovered and apprehended in the following singular manner. A Bheel, named Takoo, went out hunting in the jungle in the Dhar pergunnah, in May last, and there met with a Bheel of another village named Balliah, who joined him, and they succeeded in killing a neel-ghae. To cut it up, Balliah produced an ivory-handled table-knife, which occasioned some surprise in Takoo, who asked him where he got it. Balliah, in a misplaced confidence in his companion, told him that it had belonged to a gentleman whom he and others had murdered on the banks of the Poonah river two years ago. On Balliah's going into Candeiah,

Candeish he gave this information to the assistant magistrate, who forwarded his deposition to the authorities here, and through the exertions of some confidential Bheels, in the employ of a very active officer at this station, Balliah was traced out, seized, and brought in, when he gave such information as led to the discovery and apprehension of seven out of the eleven persons who composed the gang."

#### PONDICHERRY.

The Madras papers are filled with details of the ceremonies attending the departure of the Vicomte des Bassaynes de Richemont, late administrator-general of French India, and the accession of his temporary successor. On the 3d August, previous to embarkation, the Vicomte attended, in pomp, at the Palais de Justice, where the royal permission was read, authorizing the vicomte to leave his government. His Excellency then addressed the assembly in a short speech, which was not heard, owing to his extreme agitation, his feelings being overpowered even to tears.

The Advocate-General (recently arrived from France) replied in a long and elaborate speech, replete with encomiums on the vicomte's administration during the last two years, approving in the highest terms his measures, and concluded by censuring with severity those who opposed them. A farewell dinner was given to the vicomte and his friends by M. Scipion, the senior officer, and administrator-general, *per interim*. After dinner the vicomte proceeded to the beach, and embarked on board the corvette *La Chevette*.

Capt. Cordier, chief of Chandernagore, nominated by the French government to succeed temporarily to the office relinquished by the vicomte, arrived at Madras on the 15th August, and assumed the functions of government. The following characteristic letter from Pondicherry announces the event:

"Yesterday, the inhabitants of Pondicherry manifested their joy at the arrival of their cherished father, Mons. le Capitaine de Vaisseau Cordier, gouverneur des établissemens Françaises de l'Inde, by spontaneously illuminating their houses, and by proceeding to church to return

will re-establish order and will put hideous intrigue to the blush. The expression of sentiments was unanimous, uncontrolled by fear, nor induced by the hope of reward. Dinners were given by several private families."

It appears, however, that the functions of M. Cordier were likely to be soon at an end, since it is stated that M. de Melay is appointed to succeed M. de Richemont, and was expected at Pondicherry in September.

#### RANGOON.

By the *Indian Oak* we learn that the town of Rangoon, in consequence of its not having been drained since the British left the place, has become very unhealthy, and the mortality so great that the Whoon-gy, under the persuasion that the devil or some evil spirit had introduced the prevailing sickness, had ordered guns to be fired to drive him out of the town of Rangoon. Rangoon was never known to be so unhealthy as it is at present.—*Mad. Gaz.*, Aug. 20.

### Bombay.

#### GOVERNMENT GENERAL ORDERS.

##### SUPPLIES FOR THE USE OF NATIVE GENERAL HOSPITALS.

*Bombay Castle, June 19, 1828.*—The Hon. the Governor in Council is pleased to authorize the following alteration in the mode of furnishing supplies for the use of the Native General Hospital at the presidency, the civil hospitals at Poona, Surat, and Ahmedabad, Lock hospitals, and Eye Infirmary.

The present contract held by medical officers for the supply of articles of diet, wine, sago, spices, and articles of that nature, together with cotts, cumblies, country medicines, and other necessaries, is abolished from the 1st of July next, and all such supplies are to be, after that period, made by the Commissariat Department, the diet on a daily indent signed by the surgeon, and other articles when required, and under the countersignature of the superintending surgeon of the division in which the hospital may be situated, agreeably to the principles laid down in article xxii. section x.

The diet to be drawn in direct conformity to the diet table annexed to this order, subject to the modifications specified under the head of remarks.

A strict account of dead stock, such as cotts, cumblies, &c. to be kept in the different hospitals, a quarterly return of which is to be transmitted to the Medical Board through the superintending surgeon of the division, and all unserviceable articles, previously to being destroyed, to be submitted to the inspection of a committee, assembled by or at the requisition of the superintending surgeon of the division.

All supplies for the use of the Lunatic Asylum at the presidency being at present furnished by the commissariat department, the only change that will be required in that institution will be the adoption for the native patients of the diet to be above referred to.

As almost the whole of the remuneration of the surgeon of the Native General Hospital

Hospital at the presidency is derived from the contract he at present holds, under the old system, for the supply of all materials for the use of the hospitals, he is permitted to draw a salary of rupees (400) four hundred per mensem.

The following to be in future the establishment of the Native General Hospital at the presidency.

	Rs.
1 Assistant apothecary and steward...	40
1 Compounder .....	15
1 Dresser .....	10
2 Ward Boys (each) .....	6
1 Matron (woman's ward) .....	10
2 Puckalies (each) .....	7½
1 Barber .....	5
2 Cooks, 1 Portuguese (each).....	8
3 Peons (police).....	
1 Dhobie .....	7
3 Hallalcres (each).....	6

The establishments of all the other hospitals, before alluded to, to continue as at present, and when extra servants are required for temporary purposes they are to be furnished by the commissariat department, on an indent counter-signed by the superintending surgeon of the division in which the hospital may be situated.

All servicable hospital stores, at present the property of medical officers in charge of the hospital above referred to, will be received by government, under the valuation of a committee appointed at the requisition of the superintending surgeon of the division in which the hospital may be situated.

Indents of monthly supplies on account of diet to be transmitted to the commissariat department, for the purpose of being forwarded for audit to the medical accountant to the Medical Board, in the same way as is customary in European regiments.

(Here follows the native diet table.)

MR. SURGEON GALL.—LIEUT. BURROWS.

*Bombay Castle, June 23, 1828.*—The Hon. the Governor in Council is pleased to publish for general information the following extracts from letter from the Hon. the Court of Directors, dated 25th Jan. 1828:—

[Surgeon Gall placed on the pension list on the scale laid down for a captain, subject to court's approval, at the recommendation of the Commander-in-chief. The habits of intemperance acquired by him, by which his health has been impaired, would have met with more severe notice, but for his length of service.]

33. We are of opinion, that the misconduct and neglect of duty imputed to Mr. Surgeon Gall ought to have been submitted to the judgment of a court-martial, and we regret exceedingly that measure was not resorted to.

34. We refuse to sanction the pension assigned to Mr. Gall, and we direct that it be reduced, on your receipt of this letter,

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to eighty-four rupees per month, being the rate assigned to a surgeon of his standing in the service who retires on account of ill health.

[A memorial from Lieut. Burrows, dismissed by sentence of court-martial transmitted, his case recommended to favourable consideration on the supposition of his labouring under insanity. In reference to letter of 30th November 1824, judgment has been allowed to go by default in the suit instituted against Lieut. Burrows by the Company, but no hopes are entertained of recovering any part of the amount.]

36. Not being satisfied that the plea of mental derangement, set up by Mr. Burrows himself, and partly admitted by you, has any foundation, unsupported as it is by the production of medical testimony, we are of opinion, that the case of Mr. Burrows is not one deserving of indulgent consideration.

#### NATIVE PENSION FUND.

*Bombay Castle, July 3, 1828.*—General Department.—The Hon. the Governor in Council is pleased to declare, in reference to a circular issued to all the departments on the 24th of May 1824, that all clerks and native writers, in the employ of government, who, by the existing rules of the native pension fund, were admissible, and have not subscribed to the fund, have forfeited all claims for support from the Hon. Company, and the Governor in Council is further pleased to direct, that no clerk or native writer shall for the future be employed in the service of government, unless he consents to be a subscriber to the fund.

#### LAW.

SUPREME COURT, 26th July.

The third quarter sessions of the Supreme Court at this presidency commenced this day, before the Hon. Mr. Justice Chambers and the Hon. Mr. Justice Grant.

As soon as the grand jury had been impanelled, and their foreman chosen, Mr. Justice Grant addressed them at a very considerable length on the subject of the administration of justice on the island of Bombay and the internal state of the settlement generally.

His lordship commenced by an expression of his surprise and deep regret at the state in which he finds the execution of the law at this presidency. Alluding to the crimes with which some of the prisoners stood charged, the learned judge declared them to betoken a "contempt of public justice the most incredible, and a state of public morals the most alarming and most inconsistent with any degree of public prosperity," whilst others, he perpetrators of which were yet undiscovered, had been committed "in the face of day, in the most public places, and apparently with as little fear of resistance or detection

tion as if there were no government and no law subsisting; a confidence lamentably justified by the result, since the criminals have not only escaped, but seemed never to have been placed in jeopardy." These facts argued a state of things highly discreditable to society; but the remedy lay in the joint exertions and co-operation of the community with the local powers, and to that remedy Sir J. Grant earnestly entreated his hearers to address themselves. It was said that the people at Bombay had been living under the law of England for 160 years, but the state in which they now were found led to the belief that such was not the case. In illustration of these remarks, the learned judge entered into the detail of certain cases of robbery, murder, and assault, the perpetrators of which had all escaped the vengeance of the law through the utter supineness of the community in matters where their personal interests did not appear to them to be immediately affected.

His lordship went into a brief examination of the often-alleged causes of the state of things he had been deploring. The influx from the continent of desperate men, bred to habits of pillage, and accustomed to lead the lives of banditti, had, his lordship was disposed to admit, considerable operation in producing it; but the means formerly taken to check this evil had not the sanction of the law, and were such as could not be endured in an English settlement. The learned judge here quoted the sentiments of Sir James Mackintosh on the police of this island, and likewise referred to the abolition of the system of illegal punishments and condemnation by magistrates in cases where the verdict of a jury was essential *à priori*.

Mr. Justice Grant then proceeded to enter into a brief comparative review of the laws of Great Britain and those in force on the continent of Europe; first, as concerning the protection of the people; and, secondly, as connected with the detection of crimes and the indictment of offenders. "It may be well worthy," said his lordship, "the consideration of this government, and of the government of India, and the parliament of England, whether some modifications of the institutions for administering criminal justice of a free, a wealthy, an enlightened, and a highly virtuous people, might not render them better adapted to the state of society in India. If such a question shall be moved, it will, I trust, not be forgotten that the repressing an immediate evil is the least of all the objects of legislation, and the forming the character of a people the greatest, and that every step that is taken towards the casting on the government the whole dependence of the inhabitants of any country for their protection from private wrong, without exertion of their own,

is a step towards rendering the government more difficult, more responsible, and more insecure; and towards increasing in those inhabitants their ignorance of the principles and their carelessness about the practice of justice."

After some further remarks on the causes of defects in the administration of criminal justice, Mr. Justice Grant proceeded to advert to a representation recently made to the local government by the respectable native merchants and inhabitants, on the subject of the state of insecurity in which their persons and property now were. This representation, his lordship said, had been referred by the government to the Advocate-General, assisted by the senior magistrate of police, and there was no doubt that his report would be such to enable government to mature a plan suitable to the importance of the subject. The representation, it appeared, complained of robberies not only in the night, but in the twilight before the inhabitants had retired to rest, and also of the small number of robberies, and even murders, actually committed which were at all before the magistrates, or therefore known to the government. The address, moreover, instanced some outrageous cases where it did not appear that any inquiry had taken place, mentioning the depredations committed on vessels in the harbour particularly. The learned judge concluded as follows:

"Gentlemen, before I conclude, permit me to offer my sincere congratulations to all the members of this community, European as well as native, on the admission of the respectable native inhabitants to serve on juries. It is a high and a valuable privilege conferred on them by the sovereign and the parliament of England, and one of which I am persuaded they will show themselves well worthy. Those of the native gentlemen who have a right, from their situation in life, to be exempted from serving on the petit jury, have volunteered so to serve in a manner, and from a feeling, which do equal credit to their modesty, their understanding, and their public spirit. They have felt that the situation was new to them, and they wished to become acquainted with the duties of it in the department of common jurymen in the first instance, relying, as they have done me the honour to express to me in a conference, I had the pleasure to have with some of them, on the kindness of their European brethren to explain to them any thing in the proceedings or in the language which may require it, and also on the assistance of the court. I have assured them, as I know I most safely may, of the utmost assistance and cordiality of co-operation on the part of the English gentlemen who will form the juries along with them. I am persuaded they will very shortly

shortly find the duty much less difficult than they expect, and I know well that I may assure them, on the part of the court, of every attention to render the proceedings and the matter that is addressed to them intelligible and familiar to them. We shall be always ready to proceed with as much deliberation as they may desire, and with more slowness than is usual in our courts, whenever they express a wish for it, and shall not think our time can be better employed than in rendering their share in the administration of justice clear, intelligible, and easy to them. We have only to make it our request to them that whenever any thing occurs that they do not thoroughly understand, or that appears in the least difficult to any of them, they will, without hesitation, apply to the court for explanation, and the court will never consider it an interruption or a waste of its time, but will always feel the greatest pleasure in receiving and complying with every such intimation."

The presentment of the grand jury contained the following passages :

"The grand jury have been much struck with the want of active assistance and co-operation on the part of the European and native constables and peons of the police, in not reporting offences with sufficient promptitude to their superiors, and in not tracing gangs of suspicious characters, although encountered by them in their rounds. To this, in no small degree, may be attributed the inefficiency of the police, whilst the difficulties under which the magistrates labour in the discharge of their arduous duties are increased in a tenfold rate by the supineness and unwillingness of the inhabitants generally to come forward as prosecutors or informers.

"Upon the various topics alluded to in Mr. Justice Grant's charge (with the great importance of which the grand jury are duly impressed) they have to state, that in their opinion much good would arise to the community from the powers of the court of petty sessions in trying cases of larceny being extended, and in conferring upon them, under such restrictions as your lordships may think fit, the power of banishing from the island. The grand jury have learned with much satisfaction that government have referred all points connected with the administration of justice by the magistrates to the consideration of a committee in every respect competent to report upon the causes of the defects of the present system, and to suggest the best remedies for the evils so loudly and justly complained of. They have heard, with equal satisfaction, the assurance from the bench of your lordship's cordial co-operation with government in this desirable object, and of your readiness to suggest to the authorities in England such improve-

ments or alterations in the law of England, when applied to this country, as to your lordships may appear requisite."

## MISCELLANEOUS.

### EARTHQUAKE AT BHOOJ.

Extract of a letter from Bhooj, dated 22d ult.—"A smart shock of an earthquake was felt at Bhooj, in Cutch, on Sunday the 20th July, about one p.m., and although it does not appear that any accident has happened there or in the surrounding neighbourhood, the vibration was so great as nearly to spill water from a tumbler about half full. The day was dull and somewhat close, and in the evening there was a heavy shower of rain. The shock, as far as could be judged, was from east to west.

"The monsoon in Cutch promises to be very favourable, and the ryots who had migrated to Sind from a dread of famine, are now fast returning to sow their native fields."—*Bom. Cour.*, Aug. 9.

### MAHRATTA NEWSPAPER.

The following whimsical article is extracted from the 1st No. of the *Moombah-poor Vurturan*, a new Mahratta newspaper, which made its *début* on Sunday last.

#### "A Chapter of Justice."

"A certain gentleman, in order to pacify his child, said to his servant 'Souya, go to-morrow and bring a goat for master Dada to play with.' Souya, on hearing this order, set off immediately. It happened that a visitor had come to see his master that day, and a silken umbrella which he had left in a corner on a sudden disappeared. The next day, when the master of the house, the visitor, and Souya were together, the visitor said to Souya's master: 'yesterday, after this servant of your's went away, my umbrella was lost from this place.' The gentleman immediately began to question his servant on the subject, and the following dialogue took place:

*Master.* Souya, why did you leave this yesterday without asking leave?

*Souya.* The gentleman remained a long while.

*Master.* Did I not order you to bring a goat?

*Souya.* Master Dada did not order me.

*Master.* You are going to be prosecuted.

*Souya.* What is that to me?

*Master.* Don't you know this gentleman?

*Souya.* I never speak to any one.

*Master.* He is going to take you before the police.

*Souya.* I have not stolen your purse.

*Master.* Where is the goat I mentioned yesterday?

*Souya.* It rained very hard.

*Master.* What work have you done to-day?

*Souya.* This gentleman's corpse passed by (a Mahratta curse).

*Master.* This gentleman's umbrella has disappeared from this.

*Souya.*



Souya. I was doing my business.

Master. What kind of an umbrella was it?

Souya. Perhaps it is at home.

Master. Why did you take it away hence?

Souya. When shall a servant sport a silk umbrella over his head?

Master. Restore it immediately.

Souya. Am I a thief?

Master. What then, can't he recover his umbrella?

Souya. It must be in his luck.

Master. What, are you joking with me?

Souya. Are you not the same sex as I am? (i. e. you are not a woman that I should joke with you.)

Master. Well, will you give the umbrella now or not?

Souya. You are mad.

Master. You rascal, I shall lose my character.

Souya. Your honour, I shall be obliged to slap you in the face.

Master. (To the Visitor.) What proof have you that you brought your umbrella here?

Visitor. When I was coming to see you, your wife was sitting in the door, and I tickled her with the end of my umbrella.

Master. What business have you to tickle my wife?

Visitor. Our mutual affection justified me in doing so.

"Here Souya got up, and cried 'are you my master, or this gentleman?' (i. e. which is the husband of my mistress?)

"The visitor replied 'that I shall leave you to judge.' Upon which Souya cried out: 'begone most noble gentleman, that comest here to humbug people about your umbrella.'

Master. (To his wife.) When this gentleman came yesterday, where were you?

Wife. I did not see him—yesterday I was engaged all the day with my *Supta parayan* (meaning either "Seven prayers" or "Seven Lovers.")

"The good man was convinced that his visitor was a liar, and determined to cut his society for the rest of his life. The sequel showed how just was his conclusion; for the very next day, Master Souya came in equipped in a new suit of clothes, holding the very identical umbrella over his head, and bringing a goat, delivered it over to his young master."—*Bom. Gaz.*, July 23.

#### GAITIES AT POONAH.

The society at Poonah, which is now numerous, seems to be rivalling the presidencies by the gaieties at that station. On the 28th July an elegant fancy dress ball was given by the staff, at the public rooms, which were tastefully laid out and decorated. The dresses generally, particularly those of the ladies, were rich and various. Early in the evening, on a preconcerted signal, the band struck up the "Yager Chor," when a cavern was discovered, from which issued a party of "Frieschutz," clad in forest green with bugles and rifles, each with his fair one by his side; having stationed themselves in the centre of the room, they sang We-

ber's favourite Chorus, and immediately afterwards danced the Frieschutz set of quadrilles. This group was very correctly dressed, some of the performers in it partook largely of the general applause by appearing in other characters in the after part of the evening. Supper followed, and after supper another dance, and after the dance another supper.

The theatricals are kept up with spirit by the amateurs of the station.

It is gratifying to find that the report of Sir John Malcolm's death is unfounded.

#### THE ORIENTAL HERALD.

To the Editor of the *Bombay Courier*.

Sir: In the Calcutta export lists I observe the following entry: "Per *Madras*, Captain Beach, to London, twenty-five cases of Oriental Heralds," and I am induced to offer this notice through the medium of your paper, as it may suggest to Mr. Buckingham's agents in Bombay (if he has any) a ready way of relieving themselves from the dead stock which must have accumulated in their godowns, it may be presumed, to nearly an equal extent as in Calcutta, whilst the hungry free-traders in our harbour will be eager to secure so heavy an article as dead weight. This circumstance may also by possibility tend to convince that well-informed and veracious chronicler of events in India, that although the *Oriental Herald* may be read occasionally, when containing a new and improved version of an old occurrence in this country, it is very seldom bought by the public of India.

I am, Sir,

Your obedient servant,

X.

## Penang.

#### COURT OF JUDICATURE.

A question of some interest occurred in the Recorder's Court of Judicature.

An application was made on 12th Nov. 1827, on behalf of Charles Maitland, an assistant apothecary of the Madras establishment attached to the general hospital of this presidency for a writ of *habeas corpus* to bring up to that court the said Charles Maitland, then under an arrest by order of the commandant of the garrison, and about to be tried by a court-martial, although, it was alleged, he was not amenable to military law. The writ was granted; and on the 17th Nov. the Recorder gave his judgment on the case, the details of which he stated.

Col. Snow, the commandant, returned to the writ, that he had placed Maitland in military confinement on the complaint of Surgeon Conwell, and had directed a native line court-martial to try him on charges

charges of disobedience of orders, insolence, and disrespect to Surgeon Bell of H. M. ship *Hind*, a patient in the hospital, the prisoner being amenable to military law.

Under the act 56 Geo. III. c. 100, the court was empowered to inquire into the truth of the facts set forth in the return. By oral evidence on behalf of Col. Snow, it had been proved that Charles Maitland was ordered to proceed to Penang and place himself at the disposal of the staff surgeon of the troops under the command of Col. Snow; that he actually did so; that he was ordered by the staff surgeon to report himself at the brigade major's office; that he told Dr. Conwell, the staff surgeon, that he had done so, and Dr. Conwell also swore that if he had not been a military man, he need not have done so; that he was placed by Dr. Conwell in attendance on sick artillery men; and that he was mustered and received pay from the military paymaster of the Madras forces. He was then a person within the meaning of the 4 Geo. IV. c. 81. and the articles of war made by his Majesty in pursuance thereof. In addition to which it had been proved that the prisoner had done duty with the 4th regiment of the line, and had been included in the monthly returns to the Commander-in-Chief.

On the part of the prisoner, two points were made; *viz.* that Col. Snow had no legal authority to assemble a native line court-martial, and that the prisoner made a contract with the East-India Company, and having done all in his power to be discharged from that contract before the charges were preferred against him by Dr. Conwell, he was not liable to military arrest.

The prisoner was a native of India, being the son of a lieut.-col., formerly in the British service, and a native christian woman. By the articles of war framed by the Madras government during the present year, the commanding officer of the troops at Penang had a power to assemble a native line court-martial. It was, however, unnecessary to refer to the Madras regulations, for the court thought upon a fair construction of art. 12. sec. 14. of the Articles of War, made under the 4th Geo. IV. c. 81, the commanding officer at Penang might assemble a detachment court-martial, and a line and a detachment court-martial were acknowledged to be the same.

With respect to the second point made by the prisoner's agent no actual contract was proved between the prisoner and any person on the part of the East-India Company, but very full evidence was given by Dr. Conwell respecting the mode of admission into the East-India Company's service of assistant apothecaries. The court did not know that it would be favourable to the prisoner to scrutinize this

mode of admission, because assuming that there was some contract between the prisoner and the East-India Company, it was contended thus far only, that the prisoner having done all in his power to rescind it, was or had been entitled to his discharge prior to his arrest. It was not contended that the contract was actually dissolved, but only that the prisoner had done all he could to rescind it. But no authority had been produced, by which a judge was authorized to say that where the consent of two parties was necessary to dissolve a contract, the endeavour by one to induce the other to dissolve it amounted to a dissolution.

The court concluded by remanding the applicant into the custody of Col. Snow.

The prisoner then applied for a writ of prohibition to the execution of any sentence of a court-martial held upon him on the following grounds, *viz.* that a copy of the charges upon which he was tried was not delivered to him until within one hour of the assembling of the court-martial; that the court was composed of Lieut. and Adjutant Mann who officiated as Judge Advocate, but was not sworn; of Lieut. and Quarter Master Ure, who was sworn to interpret, but did not act, and of five native commissioned officers, none of whom were sworn on the 11th Evangelists, but on the Koran; that the sentence was not promulgated, but that it awarded corporal punishment, and that being a Protestant Christian, he did not conceive himself liable to those laws which peculiarly attach to native soldiers.

The court refused this writ also, recommending the prisoner to apply to the Governor for his benign consideration of the case.

Application was made to the Court of Judicature, on July 14th last, by Mr. Trebeck, agent of the court, for a writ of *Habeas Corpus*, to bring up Mr. Maitland. The principal points set forth were—frivolousness in the charges upon which he was tried, an unusual and unwarrantable length of confinement under great severity and without reason, since, as the commander of the forces here and the Commander-in-chief at Madras had been in frequent communication with each other subsequently to his trial, it was not probable that his case had not been among the subjects of their correspondence; the affidavit also alleged vindictive conduct in Col. Snow, the commandant of the forces, towards the prisoner. The court granted a rule nisi on the allegation in the prisoner's affidavits, *viz.*—that frequent communication on military matters had taken place between the Commander-in-chief at Madras and the commandant of the forces at this presidency in the interval between the trial on the 5th September last and the day

day on which the affidavit was sworn. This, however, was rendered almost unnecessary by the Colonel voluntarily stating, that although he was apprised by general orders that Maitland was directed to be sent to Madras, the order which actually related to the prisoner's trial had never reached this station, and he had reason to suppose was lost with several others in the ship *Security*, and he could not, until the receipt of the Commander-in-chief's order, be aware either of the sentence of the court or the Commander-in-chief's pleasure thereon. As to his treatment of the prisoner, the gallant Colonel stated he was ready then or any time to submit his conduct to the strictest inquiry; knowing that he had done nothing but what he was fully justified in. The learned Judges, however, did not deem it necessary to hear it, and recommended Col. Snow to refrain from entering then into any further statement, they ordered the rule *nisi* to issue, leaving it to the prisoner's agent to proceed with it or not as he might think proper after the statement made by Col. Snow.

#### MISCELLANEOUS.

*Fire.*—The most alarming fire that has been witnessed in this island for many years past broke out on Thursday night last, between the hours of nine and ten, in one of the artap sheds, in the range occupied by the venders of artaps, nebongs, and other native building materials, at the west end of the Prangin road. The immense quantity of such inflammable materials, known to be generally deposited in those sheds, created the most serious apprehensions, not only for the immediate but the more remote neighbourhoods; luckily, however, there was not a breath of air stirring, and the suddenness and brightness of the flame, from the same cause that with an usual breeze might have destroyed half of George Town, proved of the happiest consequences; the fire was soon perceived (though the whole town intervened) from on board of H.M.'s ships, and before an alarm gun was fired at the fort, the magistrates and other gentlemen, who had assembled at the post of danger with all the peons that could be collected, found themselves gladly surprised by the presence of about 150 seamen and marines, with an efficient fire-engine, under the command of Capt. Carroll, C.B., of H.M.'s ship *Java*, but for whose prompt assistance and the expert demolition of the surrounding sheds, all that quarter must have inevitably been reduced to ashes. The troops from the cantonments and the fort shortly arriving there, where they were joined by the commandant of the garrison, the greatest regularity prevailed at the spot and was promptly imposed throughout the town; while the fire being left to excellent management was very

soon brought under, to the admiration and surprise of many who have not been accustomed to see the wonderful effect of order and discipline upon such trying and terrifying occasions.—*Penang Gaz.*, June 18.

*Duel.*—An affair of honour, arising from a dispute at cards (the ever prolific source), took place here on Friday morning last, between Lieut. M—— and Ensign G—— of the 25th M.N.I., when the latter received his adversary's first shot through his right thigh, and has since, we understand, continued in so much danger that the civil power has caused steps to be taken to ensure, in the event of a fatal result, the forthcoming of all the parties who were present at this unfortunate duel, which is likely to deprive a family of its natural protector.—*Penang Reg.*, July 9.

*A Bramin Phansegar.*—The following account of the former life and atrocities of the late Bramin Baboo Bhutt, who terminated his horrid career on the scaffold, a short time since, was handed to us from undoubted authority.

Baboo Bhutt formerly belonged to a very considerable corps of banditti, called *Phansegars* (called also *Thugs*) who committed most daring robberies and murders in several provinces under the presidency of Fort St. George. In 1811, he and one of his companions, named Narrain Row, were apprehended by order of Mr. P. Bruce, judge and magistrate of the zillah of Bellary, and committed to take their trial before the Court of Circuit. While in prison Baboo Bhutt made his escape in the Malratta countries; Narrain Row suffered sentence of death. In 1818 or 1819, having committed another murder in one of the provinces under the presidency of Bombay, Baboo Bhutt was again apprehended and transported for life to this island. It was a practice among the different gangs of Phansegars not to murder their victims by stabbing or cutting, in order to avoid effusion of blood; but they generally strangled them while fast asleep with a handkerchief or piece of cloth, and then carefully buried the bodies in the recesses of forests and woods, first securing them in chests made with bamboo, rattan, or osier. Several hundreds of these corpses have been dug up by orders of the zillah magistrates of Trichinopoly, Salem, Daraporam, Chittoor, Cadappah, Bellary, &c. and produced before the judges of the respective Courts of Circuit. Yet the countenance of this practised murderer, even while he must have been planning snares for his victims, might have served a painter as a model for a holy man—so full of meekness and resignation, so contemplative, as to induce doubtful inquiry as to his ever having been capable of doing any thing to deserve a sentence of transportation; this, however,

ever, was only while the mask served him ; when torn off and no longer of use, the natural passion displayed itself in every lineament, and the change was wonderful—from saint-like to demoniacal.—*Penang Reg.*, April 30.

#### BIRTHS.

June 30. Mrs. Aratoon Anton, of a son.

July 4. The lady of Capt. John Paynton, of a son.

#### MARRIAGE.

June 9. Joseph Manook, Esq., brother of Saret Manook, Esq., of Rangoon, to Miss Thaque, daughter of Michael Ter Stephen, Esq., formerly of Bushire.

## Singapore.

#### LAW.

On the 22d May the first court of session of oyer and terminer and gaol delivery, assembled at Singapore, was held before the Hon. the Governor, and the Hon. K. Murchison, Esq., resident councillor.

The Governor addressed the grand jury in a speech of considerable length, in the course of which he stated that two persons accused of piracy must be discharged, for want of an admiralty jurisdiction amongst the functions of the court.

The indictments presented to the grand jury amounted altogether to twenty-seven. Of these, six bills were found for murder, one for manslaughter, six for assaults of various degrees of atrocity, and ten for burglary and other offences against property.

## Malacca.

An uncommon phenomenon appeared on the evening of the 14th, between seven and eight o'clock, which has produced a curious sensation amongst the inhabitants of this settlement. A meteoric globe of fire, of about the size of the full moon, when seen in the horizon, approached from the south-east, and passed over the town in a north-west direction, at a height not much above the tallest trees. It was followed by a rattling broken noise, somewhat resembling that of thunder, produced, we suppose, by the bursting of the ball, which took place at some distance from the town. The oldest people in Malacca say, they never witnessed such a thing before, and many, not knowing its real nature, consider it a portentous omen for evil. Some very sagely prophecy, that there will be war; others that rice will be dearer; and others again aver that the world will soon be at an end; the Malays say that it is an *Antoo Api*, or Fire Spirit, sent to destroy some wicked man's house; and others that it is the serpent of the sun

which has got loose and is going its peregrinations. We understand that a Chinaman, who had been sickly for some time previously, was so terrified by the appearance, that he sunk down in a fit and instantly expired.—*Malacca Obs.*, May 20.

## Mauritius.

The following are extracts from a "farewell letter," addressed by the Rev. Daniel Tyerman (since deceased) and George Bennett, Esq., constituting a deputation from the London Missionary Society to inspect the Society's missionaries in India, &c., and which appears in its *Transactions*.

"One more motive to grateful retrospection, we cannot forbear to name; it is—the kind interest which the agents of the several governments, of the countries which you inhabit, took in our travels. These governments are indeed but different branches of one common stock: and what cause of joy, to see that they have circulating through them the essence and nature of the parent stem. We have not met with one individual, however exalted in office, nor one of the multitudinous organs of those mild and admirable governments, however high or however low, civil or military, who discovered any opposition to our plans, or who appeared to wish to throw any obstacle in our path. On the contrary, all possible facilities have been instantly given us to enable us to proceed to the various missions which we wished to visit; and while upon the road, we have been overwhelmed by their kindness, and loaded with their hospitality; kindness and hospitality rarely witnessed, and never exceeded in any other country. The exalted personages to whom we refer well knew our objects; and were we left to reason from general data, we could not but come to conclusions highly encouraging to our hopes as it regards the feelings of these governments towards Christianity in the countries which they control; but we are not left to uncertain conjectures: the views and sentiments of most of those who are the highest in rank, both civilians and military, we have every reason to suppose, are decidedly favourable to missionary efforts and the diffusion of Christianity.

"Permit us, dear brethren, to recommend more street and bazaar preaching; consider what this despised practice did in the days of Whitfield and Wesley, and in the days of Christ and his apostles. This is not sufficiently practised in India by the missionaries, excepting in a few places. No missionary, we conceive, should be satisfied with himself, unless he has preached in this way, a short sermon every evening,

evening, when the heat of the day is over; and so far from this being injurious to his health, we are satisfied that the exertion would be conducive to it, and prove a counteraction to the deterioration of home study through the day. Many induce disease in these climates by indolence, and the want of more bodily exercise. We have every where found that the most healthy are those who make the most exertion. By street and bazaar preaching, we are aware that you will perhaps expose yourselves to some contempt; but, by not doing it, you are in danger of a neglect of duty, and the stings of conscience. A love of ease would urge more tranquillity and less publicity. To be known, you must be public; and both are essential to your usefulness, that both your doctrines and your example may be understood, the one embraced and the other followed. To seek publicity for its own sake, would be vanity; but to seek it for the sake of doing good is the duty of every missionary of Jesus Christ.

"The school system in India is diffusing much light and scriptural knowledge among the rising generation, lessening their prejudices against the doctrines of the Gospel, and preparing the way for some great change, to which these nations, we conceive, are fast advancing. But allow us to caution you against multiplying schools beyond the power of a very frequent superintendence, which should be at least once or twice a-week, and that made by yourselves or those assistants in whom you can fully confide. Much has been done; but much improvement, we think, needs to be attempted in the state of the schools. The masters, if hirelings, will be satisfied with having a few children who can read tolerably well and repeat a catechism; but, why should there not be twenty where there are but four or five? A more close, vigilant, and frequent inspection would, we think, cure the evil. But the principal advantage to be derived from the school system is, we think, the opportunity which the schools give to the missionary, when he visits them, of preaching the Gospel to those who stop at the outside, and to the parents who come to hear their children catechised, or others. We would, therefore, recommend that one stated day and hour every week should be appointed and known, that the parents may come to hear their children, as well as passers-by. School-rooms should always be selected in public streets and places of great resort, that the people may be induced to stop and hear. When a number are collected to hear the children catechised and examined, a fine opportunity is afforded, either directly or through the children, of placing the great truths of the Gospel before their minds. It is preaching the Gospel, and not the school,

or any other system, that is ordained of God to renovate the world. The missionary who does not think so will be useless, and has much both to learn and to unlearn before he will be a useful labourer.

"Having travelled through all the countries over which your stations are scattered, and taken, we think, an impartial view of the state of your several missions, we greatly rejoice to recollect that we have seen you, with very few exceptions, faithfully devoting your talents to your great object, and have formed the most gratifying opinion of both your talents and your piety. Nor do we neglect duly to appreciate what has been actually accomplished, in bemoaning what has not been achieved. You are responsible, not for success, but for the due and diligent application of those means which are within your power. To some stations, which we have visited, we can advert with peculiar delight, and exclaim—what has God wrought! We have beheld Hindoo pagodas prostrated before the Gospel, and Christian chapels growing up, and crowded by hundreds of attentive hearers, not a few of whom evince, by their lives and conversation, that they have turned indeed from dumb idols to serve the living God. Glorious sights—but, alas! how few, how rare! Beloved brethren, for the want of more success there should be great searchings of heart; allow us to entreat you to examine and see whether there is not a cause. Why this barrenness of religion after so much expenditure of missionary talent, and time and money? How comparatively few the converts! what cause for lamentation and woe! How many millions are perishing for the lack of knowledge! How little is God known! How slight, comparatively, is the impression made on this hundred of millions of human beings! O let us humble ourselves before God in the very dust, that we have been no more concerned for their salvation—that we have laboured so little for their good—that we have no more wrestled with God in prayer, that he would make bare his holy arm, and pour out his Holy Spirit upon them. When the friends of missions at home, and the missionaries abroad are found thus engaged, then we may expect this wilderness to blossom as the rose, and this desert to become as the garden of the Lord."

## Netherlands India.

### AFFAIRS IN JAVA.

The substance of despatches from Batavia, dated the 2d September, and of the contents of the *Java Gazette* of the same date, is given in the Brussels papers.

According to a report of General Kock, dated

dated Magellang, 18th August, the rebels had made some movements on Padang; but, as usual, had retreated on the approach of our troops. On one occasion the enemy were pursued by Lieut. Col. Le Baron de Vexala, and had forty men killed. On all occasions the population has shown itself well disposed to the government, giving information of the approach of the enemy, and even joining the troops in repulsing them. Two other reports of the general detail some trifling skirmishes. To the south of Djococarta all was tranquil. In the night of 22d August, Lieut. Metzelaar had surprised Tommongong Poesso di Redji, in the Dessa Pinata with success; he was killed with three chiefs of a lower rank, and several others taken prisoners. A detachment of Javanese troops had been suddenly attacked near Samarang by the rebels, who dispersed it, and took the commander and his brother prisoners, both severely wounded. General De Kock immediately sent reinforcements to Samarang. The European troops from Boelen, who landed at Samarang, arrived at Magellang on the 24th August, and were going to march to Bagellen. The auxiliaries from Tidore were already on their march to join the column of Tegalwaroe.

The *Malacca Observer* of June 3d contains the following statement:

By the arrival of the *Cecilia*, Captain Stavers, from Batavia, we have been informed of intelligence of a very serious nature with regard to the present state of Java. A conspiracy had been formed amongst the chiefs, supposed to be well affected, to murder all the Europeans at Solo, which, however, was happily frustrated. The soldiers are dropping off fast, through fatigue and the effects of the climate, and, to make matters worse, money is not to be had. Trade likewise is at a very low ebb, so much so that the Dutch Company, generally known under the designation of the *Manschappich*, are glad to retail a cheese or case-bottle of gin. General Van Geen has returned to Europe, and General De Kock has assumed the command of the forces.

#### FINANCES.

According to a statement of the public revenue of Java lately published, the value of imports in 1826 amounted to 10,250,175 florins in merchandize, and 3,982,822 in specie. From the mother country the produce received was valued at 6,530,093 florins; of which, 2,656,628 consisted of specie: from England the imports were valued at 1,078,412; from France at 305,615; from America at 1,198,460; from China at 386,600; from Bengal at 738,867; and from the Oriental Archipelago at 5,331,848. Among the

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goods received from the Netherlands, there were cloths in wool and cotton to the value of 1,500,000, provisions for 453,766, and liquors for 165,870. England has imported into the colony manufactures for the value of 747,258. In this statement the shipments made for government account are not included.

#### BIRTH.

July 18. At Padang, Sumatra, the lady of Jas. Du Puy, Esq., late resident of Padang, &c., of a son.

## China.

#### NEW TITLE TO THE GOD OF WAR.

Since the capture of Changkihur, his majesty the Emperor of China has published the following proclamation:

“Ever since the tripod of our dynasty was firmly established, his majesty Kwante has often displayed gloriously spiritual and divine aid. Changling, the commander-in-chief, reported last year, when Changkihur excited insurrection, and the rebels advanced as far as Aeksa, whilst our troops attacked them, a gale of wind suddenly arose and filled the air with flying sand and dust. Then the rebels saw in the distance a red flame illuminating the heavens, and they were either slain or taken prisoners. On another occasion, whilst Changling was leading on the imperial forces at Hwan river, the rebels annoyed the camp during a whole night; till a violent tempest arose, which our troops availed themselves of and dashed in among the rebels, when an innumerable multitude of them were taken, and had their ears cut off. The next morning the rebels all confessed that they saw in the midst of a red flame large horses and tall men, with whom they were utterly unable to contend, and hence they were obliged to flee.

“All these manifestations have proceeded from our looking up to, and relying on, the spiritual majesty and glorious terror of Kwante, who silently plucked away the rebels' spirits, and enabled us to seize alive the monster of wickedness (Changkihur), and so eternally tranquillize the frontier. It is, therefore, right to increase our sincere devotion to Kwanfootsze, in the hope of ensuring his protection and the tranquillity of the people, to tens and hundreds of thousands of years.

“I hereby order the board of ceremonies to prepare a few words to add to the title of Kwanfootsze, as an expression of gratitude for the protection of the God.

“Respect this.”

Kwanfootsze lived during the civil wars in China, when the empire was divided into three kingdoms, during the second century of the Christian era. He attached himself to the king Lewpei, and rose to

the rank of general in the army. He was courted by the rival monarchs but remained faithful to his own prince. He was a man of small stature, but determined, daring, and fierce in battle. His first act was the murder of a man, probably under some idea of patriotism, which obliged him to flee from his native state; and he at last came to an untimely end, having his own and his son's head cut off by a rival general. The grave histories of China state that having received an arrow in his arm, although the wound healed up, in damp weather it always gave him acute pain. Hwato, a celebrated surgeon of that period, told him the poison of the arrow had remained in the bone, and he must have the flesh cut open and the bone scraped. Kwan consented immediately, stretched out his arm, and had the operation performed, whilst he drank wine, laughed, and talked with the people around him, as if nothing was the matter. He was styled "the Majestic and awe-inspiring Conservator of flowery Summer, *i. e.* China." He is now called Kwan, the holy imperial prince and observer of the world. Under this title there is a moral essay attributed to him, exhorting men to fidelity, temperance, and righteousness.—*Canton Reg.*, May 3.

#### CHANG-KIH-URH.

Accounts from Pekin state that the captive rebel, Chang-kih-urh, who first raised the standard of rebellion in Western Tartary, had been forwarded to the celestial capital in a cage, and that his imperial majesty was busily engaged in rewarding his officers who had been most active in bringing the war to a conclusion. On Changling, the chief in command, his majesty had conferred the following honours:

"Changling is hereby created 'the majestic and valiant duke,' to be hereditary without end. I bestow upon him the right to wear a precious stone upon the vertex of his cap, and a round (instead of a square) dragon badge on his breast and back, and restore him to the rank of great statesman in the imperial presence. I confer upon him the right to use a purple bridle; to wear a double-eyed peacock's feather; and I loosen from my own girdle two purses, and bestow them upon him, and an archer's white gem ring from my own thumb. The precious stone knob, the double-eyed feather, the round dragon badges, which he is allowed to wear, I herewith bestow, and also give a white gem double-joy feather tube for his cap. I give him a white stone, symbol of felicity and prosperity, for his sash, and a pair of yellow bordered coral studded purses to hang at it, together with four small purses."

#### IMPROVEMENTS AT MACAO.

The *Canton Register* contains a representation from the inhabitants of the Mong-ha village to the Kwanmanfoo (an officer who superintends the coast) against a projected road and other improvements contemplated by the Portuguese authorities at Macao. The Kwanmanfoo forbids this project in the following order:

"On this petition coming before me, I find, on examination of the records, that I had previously inquired about the proceeding, and had ordered the *barbarian-eye*\* to interdict it altogether. The said barbarian-eye then presented a petition, and I issued a proclamation discriminatory and severely prohibitory. Moreover I commanded the said barbarian-eye to put down the thing contentedly, and not allow of any disturbance. These proceedings are on record.

Now that the facts have again come before me by the preceding petition, besides ordering a proclamation, I again order obedience to the former order, sent to the said barbarian-eye, that he may instantly and obediently conform; and directly prohibit and put a stop to the acts of the black slaves, and not allow them outside Kennel gate, in that tape of country, to presume to dig up the government ground and the charity graves, nor violently level away the wind and water fortune, sands and rocks, which is detrimental to the resident natives' grave booths, and tomb *cumuli*, and tends to originate things infelicitous. If he presume to disobey, and again allow the black slaves to act irregularly, I am resolved forthwith to send general information to all the great authorities of disobedience to government, a case which will be prosecuted with all the severity of law. I imagine the said barbarian-eye will find his inability to sustain this heavy load of guilt.

Let what is done in obedience to this be reported to me. Let a cold shiver seize you on deserving this! Heed this! Disobey not! A special order.

8th Year, 2d moon, 26th day.

#### TRADE.

Two deputations have waited at the city gates in the course of the week, to present petitions, which were readily received. One was presented by the American merchants, regarding the mode of conducting their trade; and the other, by the claimants on the estate of the insolvent merchant Manhop. These are resources only resorted to on occasions where petitions conveyed in the regular way, through the medium of the Co-hong, are condemned by the high authorities to whom they are addressed;

\* This insulting epithet denotes the Procurador of Macao.

addressed; and it may be worthy of consideration, if such indifference is shewn to the just demands of a few resident and long-established merchants, whose debts are of a most simple nature, although of large amount,\* what will be the condition of affairs, should the looked-for freedom of the trade to China take effect, when of necessity a diversity of connexions would arise, a variety of conflicting interests, and a considerable share of commercial altercation? We, who have long witnessed the existing system of China trade, look forward with feelings of deep interest to the moment. But before this event occurs, we hope the British government will have taken into consideration the interruption that so essential and extensive a branch of its commerce has hitherto suffered, and still remains constantly exposed to; and will have adopted those resolute measures, for its future protection, which may give perfect security to its subjects and their property.

In this age of almost universal civilization, it is to be regretted that the world should be shut out from so vast and fine a field of commerce, which a general and free intercourse with the Chinese empire would present. A country, whose coast abounds with harbours calculated to receive every class of shipping, with rivers and canals that intersect it in every direction, giving facility to the transit of goods, and whose extent from longitude of 20° to 45° north, with a great variety of climate, and consequently as great a diversity of wants, seems designed by nature for universal commerce; and being thus gifted, should maintain that social feeling with all those nations whose adventurous spirit leads them to her distant shores. It has been long noticed that there is a growing taste for the European manufactures, and the principal circumstance that arrests their circulation is the high rate to which they are doubtless brought before they reach the interior, and which must continue to be the case whilst the foreign trade is confined to one port, and that at the extreme southern limit of the empire: and reversing the position, this remark applies equally to the exports of the country, some of which are conveyed from a very considerable expense upon their original value, so that, in many instances, they are brought to too high a price for the foreign market. But Chinese prejudice, or pride, or whatever evil passion it may be termed, that renders them thus inhospitable, seems to be invincible.—*Can-ton Reg., May 3.*

### Persia.

The *Bombay Samachar* of July 21st contains the following intelligence:

"We hear that the whole of the money which the King of Persia engaged to pay to the Russians is in the possession of Abbas Mirza, and as yet has not been paid; and further, that the Sultan of Constantinople sent a communication to the King of Persia in the following terms: "The province of Erivan, formerly belonged to us, from whom you took it. This, however, was of no consequence, as you were as our kindred brethren; but we now hear that the Russians have taken it: our troops, therefore, shall march immediately to that province and re-take it from the Russians; in this you will suffer no loss." Having given this intimation, the Sultan sent his troops against Erivan. When the Russian general received intelligence of this he delivered over Tabriz to Abbas Mirza, and marched himself with his troops into Erivan, intending first to arrange matters there, and afterwards to return and receive the money from Abbas Mirza; with this resolve he set out, but we understand the Turks have succeeded in taking possession of Erivan.

Accounts from St. Petersburg state:—We have just received very satisfactory news from Stavropol, dated 11th Nov. General Emanuel, commanding the troops of the Caucasus, had returned from the expedition which he had undertaken against the Karatschajeffs, a tribe of mountaineers who, animated by a hostile spirit against us, made frequent incursions into the Russian frontiers, and especially since the declaration of war against the Turks, and whose country served as a rallying point for all tribes of mountaineers hostile to Russia. After a most obstinate engagement, the enemy were totally defeated by our brave troops commanded by General Emanuel, and lost the best part of their army. On the 3d of Nov. the Sultan of the Karatschajeffs, the elders, and all the people, took the oath of fidelity to his Majesty the Emperor, and as a security for their submission, gave hostages of the sovereign family and of three families of the elders. The subjection of the Karatschajeffs is of the greatest importance for the tranquillity and security of the countries near the Caucasus.

### Central Asia.

The *Journal of St. Petersburg* of Dec. 27, contains an extract of a letter from Bokhara, as follows:

"According to the latest accounts from Central Asia, it seems that the love of pillage, which is natural to the Usbecks, has caused a misunderstanding between Bucharia and Kiva. These sovereigns of Maveranahar, Kokand, &c. cannot establish



blish a solid peace among them; tranquillity, which is never of long continuance, is always the result of the weakness caused by the sanguinary quarrels originating in the pillage committed by the Usbecks, who never could be kept in check except by a foreign force, such as that of the Usbecks of Persia, Abbas, and Nadir. By their civilization and military force the Usbecks of Bucharia have always preserved a very marked preponderance and moral influence over the people, who have common origin with them; the latter always look upon Bucharia with fear, but on some unfortunate occasions it has served them as an asylum. Emir Hyder, the late khan, a good pacific prince, preferred tranquillity to the pomp of victory, and contented himself with punishing the banditti, who from time to time made incursions into his territory. Batyr, his son, seems to differ entirely from him in this respect; his warlike and enterprising character inflames the hearts of his Usbecks by holding out Khorasan as the first object of conquest. During the autumn he declared war against the Khivans, who had hitherto possessed the town of Merva. No doubt is entertained of the success of his arms, for Allakal, the present khan of Khiva, is weak and deficient of courage; besides his power is diminished by a misunderstanding between his brother and himself. The Bucharian army has already laid waste a number of Khivan villages. Allakal, relying on the justness of his cause, has sent an ambassador to Batyr Khan, to inquire the reasons of this irruption into his states; but the ambassador has been detained, and the Bucharians have received orders to renew their incursions into Khiva. At the same time, Batyr Khan has sent a detachment of his army into the steppes, to protect the Bucharian caravans coming from Russia from any attack by the Khivans. On the other hand, the Usbecks of Khiva envy their brethren of Kokand, whose territory has been considerably aggrandized by the addition of the rich commercial house of Turkestan and Tashkent. The Khirghis subjects of the khan of Khiva, who live along the river Sir-Daria, have assembled in considerable force, penetrated into Kokand, put a great number of the inhabitants to the sword, and returned home with immense booty."

We learn from Troitsk that between the 5th and 18th of Nov. a caravan left that place for Bucharia; it consisted of 2,667 camels, laden with merchandize to the amount of 393,054 rubles.

### Madagascar.

The following account of the disturbance at the island of Madagascar appears in the *South African Advertiser* :

"Radama's mother, after the death of the king, seized upon the chief power, with the intention of having her young son crowned, to the exclusion of the rightful heir. The heir was the son of Radama's youngest sister, who had married Prince Ratsé. The young Ratsé came to the throne as the representative of his mother, who was older than the young brother of Radama, but by a different mother. Ratsé, when informed of the death of Radama, had marched with some troops upon Tananarive, in order to cause his son to be crowned, who was then in that capital; but he had been repulsed by the party of Radama's mother, who, in order to free herself from all anxiety, caused the presumptive heir to be beheaded. It is added that Ratsé took to flight; that he had requested a passage in the *Vittoria*, and that the captain had declined the risk of taking him on board."

### Cape of Good Hope.

The *Commercial Advertiser* of Nov. 9, contains a long exposition of the finances and the proposed system of taxation in the colony. We subjoin a few extracts :

"From the abstract of the total yearly revenue and expenditure of the Cape of Good Hope, from 1st April 1814 to 31st of December 1826, it appears that during the thirteen years of Lord Chas. Somerset's administration, the expenditure exceeded the revenue by a sum of £72,599. 10s. 6d., or 967,993 rix-dollars of our present money. From the Statistical Table, No. 2, published in Capt. Grant's work, we perceive that in the eleven years during which the English held the colony previous to Lord Charles's appointment, that is, in 1798 to 1813, excluding the four years from 1801 to 1806, when the colony was in possession of the Dutch, who conducted the financial department with still more discretion and judgment, the revenue exceeded the expenditure by the sum of £72,066., or 960,889 rix-dollars of our present money. If these tables and returns be correct, our financiers during the last period, as compared with those of the first, must either have been bad managers, or extremely unfortunate. The difference between the economy of the former, and the profusion of the latter, is of course equal to the two sums added together, or 1,928,873 rix-dollars. In 1813, the last year of Sir John Cradock's administration, the expenditure was 854,000 rix-dollars. In 1825 it amounted to 2,008,258 rix-dollars. In 1813 there was a surplus revenue of 93,000 rix-dollars. In 1825, there was a deficiency of 574,080 rix dollars. This may serve at present by way of retrospect. Let us see how the Commissioners of Inquiry propose to repair the mischief. In 1826,

1826, the year, we presume, in which they sent home their statements and estimates, the revenue had fallen to 1,295,588 rix-dollars; and the expenditure, notwithstanding the Lieut.-governor's economy, amounted to 1,682,599 rix-dollars, shewing a deficiency of 387,011 rix-dollars. A legislative assembly would, in such a case, it may be safely assumed, have set about pruning the expenditure; and any man acquainted with the colony, and having a personal interest in the case, could in a few hours have shown them how easy it was to bring it within the income even of that year, which was the lowest since 1814. This course was clearly indicated by the general state of the settlement, particularly by the low price of our wines, the staple article of export; and the impending danger of losing the protection hitherto extended to it in the London market by the British government. Such, we think, would have been the conduct of a legislative assembly. The commissioners, as might have been foreseen, adopt a method directly opposite, and propose the imposition of fresh taxes to the amount of the difference, and something more, wherewithal to pay off the debts of the colony.

"For 1828 they present a scheme of expenditure equal to £125,240, or 1,669,866 rix-dollars; to meet which they lay down a schedule of taxes equal to £116,968, or 1,559,573 rix-dollars, being less by 110,293 rix-dollars than the estimated expenditure. 'But this temporary excess of expenditure,' they observe, 'will be covered by a future surplus revenue to the extent, as is estimated, of £9,728, or 129,706 rix-dollars, which will become applicable to the payment of the debts of the colony.' The local annual revenue, therefore, provided for by the scheme of the commissioners, will be £135,022, or 1,800,293 rix-dollars. Thus it appears, that in 1806 the expenditure was 381,222 rix-dollars; in 1813, 854,000 rix-dollars; in 1825, 2,008,258 rix-dollars; and in future it is to be 1,800,293 rix-dollars."

The same paper adds:—"Our correspondents in Albany state that their petition to parliament for a representative system has been numerously signed, and is about to be transmitted to England. The inhabitants of that district are now well acquainted with the comparative merits of the representative and close systems, and consequently anxious for the co-operation of the western divisions of the colony. In the Somerset district a similar petition is in progress; but it appears that some difficulty with respect to the holding of public meetings exist throughout the colony. A requisition must first be submitted to the civil commissioner, who is directed by his private instructions to submit the same to government; at least, so they say. This control cannot be put down in the list of liberal

improvements. Like Englishmen, and men of sense, our correspondents are also warm advocates for trial by jury in civil cases, which there can be no doubt will soon be added to our judicial system, in order to render it complete. A petition on that subject would be powerfully supported by some of the highest authorities in the colony. It should also include a prayer for the establishment of a bench of magistrates, instead of the office of resident magistrate, making the latter only superintendent of police. The extravagance of a lieut.-governor for the eastern division has very wisely been abandoned; it would have divided the interests of the colony. With such institutions and a legislative assembly—not a legislative council, which is worse than the simple government of one—the growing nuisance of taxation might be kept within reasonable bounds."

The locusts, it is said, have made their appearance in great numbers in some of the eastern districts. An abundant harvest last year saved the Cape end of the colony, and may this year. Everywhere else the people have been either retrograding or at a stand. We have heard that the rust has again made its appearance, and is likely to do this year what drought and locusts did last year in the interior. A residence even of ten or twelve years in this colony is too short a time to enable one to form a correct opinion of its climate, which is precarious beyond any thing we have heard of elsewhere, or can be supposed. We are far from thinking that its disadvantages do not admit of remedies, but to contend with them requires a degree of enterprize and intelligence not likely to be produced by our present system. Taxes should be very light in a country that has only a crop once in five or six years. Nor is great exertion likely to be made where the incomes of functionaries are so disproportioned to those of the community.

Nothing farther has been heard of Chaka, or his ambassadors. There is evidently no ground for alarm on the frontier. The Caffres continue to visit the colony, particularly Graham's Town, in considerable numbers, seeking employment as herdsmen, which they readily obtain, as the Hottentots, relieved by the late ordinance from the peculiar restrictions formerly imposed on them, are for the present crowding round the missionary stations. With regard to the latter, this evil will soon correct itself, as their cattle, cooped up in a narrow space, are perishing for want of sustenance. A defect in the ordinance presses heavily on this people. Apprenticing, in every case, is limited to the term of one year; it is impossible, therefore, to obtain masters for such as desire to learn a trade. This should be obviated without delay.—*Ibid.*

## Australasia.

### NEW SOUTH WALES.

A circular letter has lately been issued from the colonial secretary's office, and addressed to each of the civil officers of the colonial government, requiring them to forbear from following any trading pursuits during the period of their employment in a public capacity. It is further intimated that their continuance in office would be deemed incompatible with any occupation of the above nature; and those, therefore, who prefer trade and merchanting to the tenure of a post under government, are expected to relinquish the latter. Agreeably to this intimation, some of the civil officers have resigned their public situations.

It appears that the notice originated in a practice which has occasionally been indulged in by some of the civil officers, who were not over and above well paid, for the purpose of eking out a scanty salary, and enabling them to live in comparatively greater comfort, and better meeting the expenses of this expensive town.—*Australian*, April 18.

### VAN DIEMEN'S LAND.

The *Hobart Town Courier* contains copies of a correspondence between a deputation of the inhabitants and the government on the subject of the removal of Mr. Gellibrand from the magistracy, on account of his conduct in regard to the petition praying for trial by jury and legislation by representation.

The lieutenant-governor announced to the deputation in a government order, that the address to his Majesty had been laid before the King by Lord Goderich; the order was enclosed in a letter, of which the following is a copy:

Colonial Secretary's Office,  
March 18, 1828.

Gentlemen: I am directed by the Lieutenant Governor to transmit to you the enclosed copy of the government order of this date, notifying that the Right Honourable the Secretary of State has received and laid before the King the address of the inhabitants, praying for trial by jury, and legislation by representation.

I am also to acquaint you that Lord Goderich, in adverting to the circumstance of the petition to his Majesty not having been transmitted in the ordinary course, is pleased to observe, that he finds it difficult to account for the conduct of the gentlemen composing the deputation, except upon the supposition that they suffered themselves to be influenced by feelings very inconsistent with that absence of party spirit, which, in their letter to Earl

Bathurst, they so strongly assert to have marked their proceedings.

His Lordship has further been pleased to observe, that the conduct of Mr. Gellibrand, sen. in this matter, as a magistrate of the territory, cannot be passed over with the mere expression of his Majesty's displeasure; and it is therefore directed, that his services in the magistracy shall be immediately dispensed with, it being deemed impossible, that after such conduct, they can be attended with any advantage to the interests of the colony.

I have the honour to be, &c.

J. BURNETT.

To W. Gellibrand, Esq., Edward Lord, Esq., A. F. Kemp, Esq., W. A. Bethune, Esq., Samuel Hood, Esq., and David Lord, Esq.

The deputation, in reply, expressed their deep regret at the erroneous views entertained by his Lordship of their motives, and request to be favoured with an extract of that part of the despatch which relates to their conduct. The colonial secretary, in return to this letter, states that the Lieut.-Governor does not consider it proper to furnish the extract, and that his Excellency had conveyed, in terms the least likely to be painful to their feelings, the instructions of the Secretary of State. He adds: "I am to state, that on referring to the *Hobart Town Gazette* of the 31st March 1827, you will find a comprehensive statement of the transaction that was under his Lordship's consideration; that document was transmitted to the Secretary of State, together with all the 'observations, explanations, and assertions,' contained in the *Tasmanian* newspaper, the whole series of which were also forwarded to Downing Street. It is possible, as you assert, that the conclusion which the Secretary of State has drawn relative to your motives may be erroneous; but you cannot be unconscious that it coincides with the opinion at which the respectable and disinterested part of this community have long since arrived."

The domestic affairs of Van Diemen's Land at the present time present an aspect of no very gratifying description. A sort of universal depression seems to pervade every branch of our internal economy; and commercial, agricultural, as well as individual prosperity, has, as it were, received a sudden and unprecedented check. So excessively dull is the demand for colonial produce, so overstocked are our graziers with sheep and cattle, and so overburdened the people with high duties and increased taxes, that nothing but the voice of murmuring is to be heard throughout the colony. The breathings of dissatisfaction and the bewailings of depression surround us on every side. Here we see mutton and

and beef selling publicly in all parts of Hobart Town at 23d. per lb.; there, wheat, not long ago at 3s. 6d., now at 8s. per bushel. On this side, we find sheep sold at from 3s. 6d. to 5s. a head; on that side, 156 fine sheep are knocked down for 34l. On the one hand, a herd of 700 head of cattle are offered for sale at 2l. per head; on the other, horses, which always used to fetch 50l. at least, are now down to 30l., and are still falling lower. In one place, a settler hawking his produce about the town, seeking in vain for buyers; in another place, a sheriff's officer besetting some poor unhappy, moneyless wight, at the suit of an *ex officio* money lender.

Look which way we will, some object of distress presents itself, some instance of depression is to be noticed.—*Tasmanian.*

## The Persian Gulf.

By advices from Bussora of the 11th July, we learn that the plague was raging around Bagdad in the neighbouring districts. The political agent had therefore found it necessary to require masters of British and other vessels quitting the Persian Gulph, for any other port, to provide themselves with bills of health.—*Bom. Cour. Aug. 30.*

## INDIA SECURITIES AND EXCHANGES.

*Calcutta, Aug. 27, 1828.*

**Government Securities.**

Buy.	Rs.	As.		Rs.	As.	[Sell
Prem.	25	8	Remittable .....	24	8	Prem
Disc.	0	6	Old Five per ct. Loan ..	0	2	Disc.
Prem.	0	2	New ditto ditto .....	0	2	} Dis.
5,800	0	Bank of Bengal Share	5,600	0		

### Rates of Exchange.

On London, 6 months' sight,—to buy 1s. 10½d.  
—to sell 1s. 11d. per Sicca Rupec.

### Bank of Bengal Rates.

Discount on private bills and notes	7	0	per cent.
Ditto on government and salary bills	4	0	
Interest on loans on deposit, 2 months	6	0	

**Bank of Bengal Dividend, due 4th July last.**

**Thirty-ninth half-year's dividend—Sa. Rs. 10 8 per cent. per annum, or Sa. Rs. 525 for each share.**

*Madras, Aug, 20, 1828.*

**Government Securities.**

**Six per cent. Bengal Remittable Loan.**

At the Rate of Subscription, viz. 350  
Madras Rs. per 335 Sa. Rs. .... 28½ Prem.  
At the Rate prevailing among Merchants  
and Brokers in buying and selling Public  
Securities, viz. 100½ Madras Rs. per  
100 Sa. Rs. .... 26½ Prem.

**Five per cent. Bengal Unremittable Loan.**

At the Rate of Subscription, viz. 350	
Madras Rs. per 35 Sa. Rs. ....	2½ Prem.
At the Rate prevailing among Merchants	
and Brokers in buying and selling Pub-	
lic Securities, viz. 107½ Madras Rs. per	
100 Sa. Rs. ....	3 Prem.

Five per cent. Bengal New Five per cent. Loan,  
dated 13th Aug. 1825.

At the Rate of Subscription, viz. 100½  
 Madras Rs. per 100 Sa. Rs. .... 1½ Prem.

*Bombay, Sept. 6, 1828.*

**Exchange.**

On London, at 6 months' sight, 1s. 8½d. per Rupee.  
On Calcutta, at 30 days' sight, 106-2 Bom. Rs. per  
100 Sicca Rupees.  
On Madras, at 30 days' sight, 99 Bom. Rs. per 100  
Madras Rs.

**Government Securities.**

Remittable Loan, 134 Bom. Rs. per 100 Sa. Rs.  
Old 5 per cent.—106 Bom. Rs. per 100 Sa. Rs.  
New 5 per cent.—108·2 Bom. Rs. per 100 Sa. Rs.

*Singapore, July 12, 1828.*

**Exchange.**

Gov. Bills on Bengal, per 100 Sp.Ds. 207 Sa. Rs.  
Private Bills on ditto—none.  
Private Bills on London, per Sp. Dr. 4s. 2d.—none.

### Postscript to Asiatic Intelligence.

*January 29th.*

By an overland despatch from Bombay, which has arrived at the India-House, brought by Major Barnwell, who left that Presidency on the 22d October, it appears that disease is making serious havoc there. Sir Edw. West, the chief justice, and Sir C. H. Chambers, one of the puisne judges, are dead; Sir J. P. Grant is the only remaining judge. Other individuals are reported to have fallen victims, but we forbear to mention names lest it might create a groundless alarm.

We have also heard that this despatch has reference to other circumstances of an unpleasant nature, stated to have occurred at that presidency; but as we cannot vouch for the accuracy of the reports to which we refer, we should be culpable to give currency to them.

Freight to London from Bombay had fallen to 15s. per ton.

After writing of the above, some additional papers of the three presidencies are received, the contents of which will be given in the Supplement.

## HOME INTELLIGENCE. •

## LAW.

## PREROGATIVE COURT OF CANTERBURY.

*The Will of Mr. John Farquhar of Fonthill.*—The proceedings in the suit instituted by Mr. David Colvin, of the house of Bazett and Co., London, the alleged executor of the late Mr. John Farquhar, under a will proved in the Supreme Court at Calcutta, dated 7th March 1814, and of which a copy was now propounded in this court, commenced on the 23d January: the letters of administration granted to Mr. John Farquhar Fraser, barrister at law, of the Temple, the son of a sister of the deceased, and one of the next of kin, which had been granted, as in a case of intestacy, 15th December 1826, having been recalled on the 7th November 1827. As this is a case of considerable interest to our readers, we shall insert a copious report taken expressly for this journal.

The details in the cause, contained in the various allegations of the parties interested and cited before the court to see proceedings, and in the affidavits put in by the several individuals against whom monitions had issued from this court to furnish scrips, *i. e.* any written papers of a testamentary nature, or connected therewith, relating to the deceased's estate, are very voluminous. Appearances were given by the following parties: the nephews and nieces of the deceased, *viz.* John Farquhar Fraser, Lady Pole, the children of one sister of the deceased; James and George Mortimer, Mrs. Aitken, and Mrs. Lumsden, the children of another sister; and Mrs. Trezevant, the daughter of the deceased's brother, who died in America: by Mr. Harry Phillips, the auctioneer, who had been connected with the deceased in pecuniary transactions relating to the purchase of Fonthill and other landed estates; on the part of all the parochial schoolmasters of Scotland, of the principal of the Marischal College of Aberdeen, the University of Glasgow, &c.

The certified copy of the will propounded, which was transmitted under seal from the Supreme Court of Calcutta, contained bequests of a number of annuities to the executors named in the will (Mr. Geo. Wilson, Dr. Fleming, Mr. Colvin, and others), and certain other individuals; the residue was bequeathed to the various institutions mentioned above, and to the parochial schoolmasters all over Scotland, beginning at Aberdeen, in small annuities, under various conditions, the object of which was the encouragement and promotion of education.

An opposition had been originally given

to the letters of administration which issued to Mr. Fraser and Messrs. Mortimer, by the sisters of the latter; but they gave way, and Messrs. Mortimer being unable to justify security, the sole administration devolved upon Mr. Fraser.

The case set up on the part of the executor (Mr. Colvin), and in the allegations and affidavits, was as follows: The deceased was found dead in his bed on the morning of the 6th July 1826, at the age of 72. He was born at Kirkaldy, was educated at Aberdeen, and though originally intended for the medical profession, he entered the East-India Company's army in the Bombay service, in which he was wounded. He afterwards went to Calcutta, and applying himself closely to the study of mathematics and chemistry, he made some valuable discoveries in the manufacture of gunpowder, and was appointed government agent for that article under that presidency. By parsimonious habits, he amassed a considerable fortune in India, from whence he occasionally remitted money to Scotland, for the aid of his sisters' children, to one of whom, Mr. John Farquhar Fraser, he allowed £500 per annum. Shortly after the execution of the will in question, which was in duplicate, he left India for Europe, and after paying a visit to Aberdeen, he joined the house of East-India agency of Bazett, Crawford, and Co., in 1816. At a subsequent period he became a partner in the brewing concern of Whitbread and Co. It was alleged also that he entered into a variety of speculations, in which he sustained so many losses, that at the time of his death his property did not exceed the amount he brought from India. A copy of the will executed by the deceased at Calcutta was forwarded from thence at his instance, and was received by him. It was further alleged, that he expressed much sorrow and regret at perceiving the slight progress made by his nephew, Mr. J. F. Fraser, in his mathematical studies, which disappointed the object he had in view with regard to him, namely, placing him in the army. He further reduced the allowance he had made to Mr. Fraser to 40*l.*; whereupon the latter said he would have all or none, when the deceased replied: "Very well, John, then you shall have none." His displeasure at Mr. Fraser was increased by his hearing that the latter had circulated a report that he was to be the deceased's heir, which the deceased declared he should never be, and distinctly told Mr. Colvin (who had no other knowledge of the contents of the will at Calcutta) that he had left his property for the

the promotion of education in Scotland. When the will was received from India, Mr. Colvin deposited it, enclosed in an envelope superscribed "The will and codicil of John Farquhar, Esq." in an iron chest, which was afterwards removed to the residence of Mr. Farquhar. The allegations then stated the circumstances attending the draught and the destruction by the deceased of other testamentary papers in England. In 1821, when the deceased was about to proceed to Paris, in company with Mr. Harry Phillips, he called upon Mr. Colvin, and brought him a copy of the will he had executed in India, and the day before his departure, in the month of October, he added a hasty codicil thereto, making some alterations in the will, and devising an estate to his nephews, the Messrs. Mortimer, on condition that they took the name of Farquhar. The will and codicil were given to Mr. Colvin, who, by direction of the deceased, got prepared a sketch of a new will, which he transmitted to the deceased at Paris, which he refused to execute, as he had executed two wills already. This sketch is among the scrips annexed to the proceedings, and varies considerably from the original will, in the disposition of the residue; "the parochial schoolmasters of Nairne and Aberdeen," being substituted for "the parochial schoolmasters all over Scotland." In 1822, when he returned from Paris, the deceased entered into a contract for the purchase of Fonthill, and upon being informed, in reply to an inquiry respecting the statute of Mortmain, that a bequest of real estate to a corporate body would be void, and that the estate would go to his heir-at-law, the deceased exclaimed: "that! (snapping his fingers) for my heir-at-law; he is a vagabond in the back settlements of America." In 1823, after being told that the codicil he had written previous to his departure for Paris was invalid, the deceased was angry, and in the presence of Mr. Bazett, tore the instrument, desiring him to tell David (Colvin) that he had so done. On the purchase of Fonthill, the deceased directed the preparation of a codicil disposing of that property, in case of his death before disposing of it, as he intended to do, which was deposited with Messrs. Bowles and Chitty, of Shaftesbury. This paper was brought into court by Mr. Chitty. The allegations set forth a variety of declarations of the deceased as to his having two wills and sometimes three, and that a copy of his will was contained in the iron chest (received from Mr. Colvin) which he kept in his sitting room. Some communications with Mr. Hume, *m. p.* (with whom the deceased had been acquainted in India, and he renewed the acquaintance on his arrival in England) tending to show a recognition, at a very short period before

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his death, of the will executed in India, were then alleged. In 1825, Mr. Hume called on the deceased and explained to him a plan for the improvement of Marischal College, Aberdeen, and asked him to subscribe to it; the deceased approved of it, and requested Mr. Hume to call and see his plan for the promotion of education in Scotland. In 1826 Mr. Hume brought the deceased the plan of the London University, and wished him to take 100 shares, telling him it was proposed to endow a professorship, to be called the "Farquhar Professorship." The deceased took four shares, but refused to take more, alleging that it would interfere with his own views regarding Aberdeen College. On the 4th July 1826, the day before his death, the deceased, being informed by Mr. Phillips, who had called to make final arrangements respecting the Fonthill estates, that unless he made a codicil, his will would only pass his personal property, promised to do so, adding that Mr. J. F. Fraser should not have a sixpence more from him; that Mr. James Mortimer had had too much, and that none of his relations should be benefitted by his death. The allegations then went on to state that for the last twelve months, the iron chest before-mentioned had been left by the deceased unlocked and his papers loose; that after his death, several papers, including the envelope bearing the superscription, "the will and codicil of John Farquhar, Esq." were taken possession of by Mr. J. F. Fraser, and Mr. James Mortimer and his wife, who had resided with the deceased for some time in the New-road, and had access to his papers; that after the deceased's death, the executor made search for the will sent from India, Mr. and Mrs. Mortimer being desired to attend the search, but refusing; that it was not found, but had been destroyed, though not by the deceased; that disputes arose respecting the administration between Mr. Fraser and Mr. Mortimer, and that Mrs. Mortimer declared to a witness named Hurst, that John Farquhar Fraser was under great obligations to her, for that she had destroyed the will.

The allegation on behalf of Mr. J. F. Fraser set out with a statement of the personal estate of the deceased, at the time of his death, which amounted to £600,000, and then contradicted some facts in the history of the deceased asserted on the other side, but which are not material to the issue. It stated that the will brought by the deceased from India was deposited by him with his partners, Messrs. Whitbread and Co., and that he afterwards deliberately cancelled it, and subsequently, in 1821, gave instructions to his solicitor, Mr. Drake, to prepare another will, which was executed, altered afterwards entirely, and in 1822 cancelled. The allegation

set forth that when he received the draught of the will forwarded to him at Paris by Mr. Colvin, the deceased refused to execute it, and was displeased with Mr. Colvin for sending it. The allegation then asserted that between the deceased and his relations there subsisted a good understanding, intimacy, and friendship, especially between him and Mr. Fraser, Lady Pole, and the Messrs. Mortimer, Mr. George Mortimer having been accommodated with loans of money and liberty to draw upon the deceased's bankers, to the extent of £20,000, without security, in order to facilitate the purchase of wool, in which he traded; that Mrs. Jas. Mortimer had been placed by the deceased at the head of his table, and that he felt a regard for her and her husband; that although the deceased had been displeased with Mr. Fraser, on account of the report referred to, he became convinced before his death that it was unfounded, and evinced great esteem for Mr. Fraser, who visited him, and had called upon him the day preceding his death. Declarations from the deceased were alleged demonstrative of his regard for his relation, whom he said, sometimes, that he would provide for, and at other times declared he would die intestate, as the law could make the best distribution of his property. A specific declaration of the deceased to Mr. Alderman Wood was alleged, in which he admitted he had made a will in India, but added that he had destroyed it, and would die intestate. An admission to Mr. Colvin, that he knew that the deceased had left no will, and intended to die intestate, was also pleaded. The allegation then negatived the assertions respecting the negligent habits of the deceased in regard to his papers, and alleged that at the time of the deceased's death Mr. and Mrs. Mortimer were at Fonthill; that the envelop referred to, which was superscribed "copy of the will," &c., was burnt by Mr. Fraser inadvertently; that Mr. Colvin had admitted that the enclosure was the draught sent to Paris; that there had been no difference between Mr. Mortimer and Mr. Fraser. The allegation then asserts that Mr. Colvin is a large debtor to the estate of the deceased.

A further allegation on behalf of the executors, set forth that a correspondence had taken place between the deceased and Mr. Wilson, of Calcutta, which was exhibited; that the deceased had declared that Mr. Fraser should have nothing from him but his education. It re-asserted certain facts stated in the former allegation, and negatived certain articles in Mr. Fraser's.

Mr. Henry Phillips, in his affidavits, stated that when at Paris, with the deceased, in October and November 1821, the latter gave him the draught of a will

sent to him by Mr. Colvin, and that a copy of that draught had been given to Mr. Fraser, at his (Fraser's) request; that upon attending the deceased, on the 4th July 1826 (the day before his death), to settle some accounts and arrangements relative to Fonthill and several other large estates purchased by the deceased, on which occasion he (Mr. Phillips) asked the deceased whether he had made a will, the deceased replied he had two wills. The deponent added that the original draught of the will sent to Paris had been left in the custody of Mr. Delahant, of that city. This paper is among the scripts appended to the documents, and is one of six copies of this will now before the court.

Such is the substance of the alleged facts, upon which, so far as supported by evidence, the court will have to adjudicate this important question, namely, whether there is reason to believe that the deceased intended to cancel his will executed in India; if not, whether that instrument should be admitted to probate as the recognized will of the deceased.

The argument will occupy some days in the ensuing month; we shall give an accurate report of the sentence, if delivered, in our next number.

#### COURT OF CHANCERY, January 28.

*Freeman v. Fairlie.*—The Common Serjeant applied to the court, on a notice of motion which had been served on the parties to the suit, the object of which was, that the decree lately pronounced by the Lord Chancellor (see last vol. p. 760); might be suspended, and that no part of the fund might be paid out of court. He stated, that several years ago a person of the name of Samuel Oldham died intestate in India, possessed of real and personal estate of a very considerable value, but without leaving any known relatives who were entitled to succeed to his wealth. After some time, however, it was discovered by means of an indenture of apprenticeship, found among his papers, that he had been bound apprentice to a riband-weaver at Coventry; inquiries were then made in that neighbourhood, and several claimants presented themselves, and made out their pretensions, either from the paternal or maternal ancestors of the intestate. Among these was the party for whom he now appeared, and who claimed to be entitled *ex parte paternâ*. An issue was directed for the purpose of trying the validity of the pedigree which the claimant set up; and on the trial a register being produced of the marriage of the father and mother of the ancestor, at Coleshill in Warwickshire, in 1712, two months after the date of the register of the baptism of their eldest son, from whom the claimant deduced his title, his illegitimacy appeared to

to be established, and the verdict of the jury was against him. Upon a second trial the same result took place, and the Judges before whom it was tried, and the late Lord Chancellor Eldon, each expressed so strong an opinion against his claim, that an application for a third issue, which had been meditated, was abandoned. From that time to the present nothing had been done in the matter; but some recent discoveries having been made in consequence of an investigation which took place within the present month, the case presented such an appearance as had determined John Oldham, the claimant on the paternal side, again to prefer his claims, and to ask for another opportunity of establishing them. In the parish register of St. Martin, Birmingham, it had been found that the entry which had there been inserted opposite the date of the 1st of October 1712 had been obliterated, as it seemed, by some chemical process. In the duplicate of the same register, transmitted to the Archdeaconry of Warwick, and there preserved, there appeared on the same date the entry of a marriage between John Oldham and Elizabeth Stonyhurst, the same parties who appeared by the Colleshill registry to have been married at the latter parish church two years afterwards. The first marriage was by license, and the copy of the license and the bond entered into by Abraham Thornton, as a security on that occasion, was also in the office of the archdeaconry. Without attempting, therefore, at present to account for the fact of the second marriage, if it took place, and without stating any more particularly the circumstances attending the first marriage, the learned counsel submitted that he had made out such a presumptive case as entitled the claimant for whom he appeared, and whose title depended upon the first marriage having taken place in 1712, to have the proceedings suspended, and the fund preserved until he could place himself in a more formal shape before the court.

Mr. Sugden, who appeared for the parties declared by the decree to be entitled to the fund, opposed the motion, on the ground that the applicant, being no party to the suit, had no right to be heard, and that the decree having been pronounced, could not be suspended or altered on motion.

The Lord Chancellor said, that an application charging such a circumstance of fraud as the obliteration of a register, which was the evidence on which the party's title depended, was entitled at least to have an opportunity of bringing forward his claim. All that was asked was a short delay; and although the supposed fraud was not alleged to have been practised by any of the parties before the court, and there was no imputation against them,

the court ought to be satisfied of the foundation of the statement. He was disposed for the present to retain the fund.

Some discussion ensued between the counsel and solicitors concerned in the cause; and ultimately his Lordship ordered that no application should be made for the payment of any part of the fund out of court for a fortnight.

### MISCELLANEOUS.

#### SOCIETY FOR THE PROPAGATION OF THE GOSPEL IN FOREIGN PARTS.

A meeting of a society established in the diocese of Ely and the University of Cambridge, in aid of the above society, was held in the course of the month at the Town-Hall, Cambridge; the Lord Bishop of Ely in the chair.

A report of the proceedings of the society during the past year was read, and certain resolutions were adopted for the promotion of its views.

Amongst the speeches delivered on the occasion, the following refer to Indian topics.

The Rev. Professor Lee said, that to him it appeared the society grew much faster in labour and in love than in support. It had erected and established churches, which were monuments that would prove the society had not been formed in vain, and future generations would have to record what it had accomplished. The rev. gentleman said, he had received translations of the first four books of the Pentateuch in the Persian language, and found that great care had been taken in their compilation; and although they could not be said to be absolutely perfect, they were well got up, and would stand the test of critical observation. The designs of the society are the furtherance of the Gospel, and when he read the commands of our Saviour, he could not but feel that we ought to do all in our power to support such an establishment. It was not for us to lie still, whilst so many are in ignorance and darkness, and whilst we had it in our power to render assistance. In a nation like this, it appeared difficult to think what excuse could be raised for not strenuously supporting this society. This was a cause in which we were bound to exert ourselves, and in which we were called upon to do our duty, and shall have to answer to God for the neglect of it. It is expressly commanded, to go out and preach the gospel to all nations, and we have the assurance of his beloved Son that he will never leave us.

The Rev. C. Simeon,\* in moving the nomination of new members of the committee, remarked that zeal in the leaders of the society will diffuse a zeal through the whole land; and a laborious diligence in those who have the conduct of it, will inspire



inspire the public mind with confidence. Referring to Mr. Schwartz, employed by the society as their agent in India, he asked, what was the result of his efforts? Thousands and tens of thousands of Pagans were converted to Christianity. And to such a degree was the prejudice of the natives overcome, that native princes confided their children to his care; and when we were at war with them, even gave him a passage through their camp, rather than impede his progress in the work in which he was engaged; confiding in him with assurance, that he would not avail himself of that concession to injure them in any respect. He even passed among them under the name of "the Christian;" Christianity having become through him a term, not of reproach, but of honour. Sattanaden, a native pupil of his, was instrumental to the conversion of no less than 233 in the short space of four years. From the time of Schwartz there had been a few, though but very few, who have laboured zealously in the good cause. Those who have been most active,—though I wish not to make invidious comparisons,—have almost all gone out from hence. It was forty-five years since Mr. Brown went; and after him Buchanan, Martyn, Thomason, and others, who had been very industrious and successful in translating the Holy Scriptures into the languages of the East. "As for Martyn," added the rev. speaker, "his name is well known, and his praise is in all the churches. Buchanan was the founder of our ecclesiastical establishment in India. Hence has gone forth Bishop Middleton, a man endued with wisdom and firmness, by whose influence the college in Calcutta has been erected and maintained—a college which, I hope, will prove a lasting benefit to that whole land, by providing religious education for the natives, and qualifying multitudes to go forth as teachers amongst their own people. And I account it no little honour that I have been permitted, as Lord Powerscourt's trustee, to found a scholarship there—an example which I hope will be followed by many similar benefactions. After Bishop Middleton went Bishop Heber, of whom it is said, in a letter written by Mr. Robinson to me, and which I hold in my hand, 'Heber, dear Heber, took all hearts by storm.' He has been succeeded by Bishop James, whose first act was the appointment of Mr. Robinson to the archdeaconry of Madras. This, my lord, I consider as an appointment of immense importance. A man better qualified for it could not have been found in all the world. Of his translation of the Pentateuch into the Persian language your own report has justly said, that 'when complete, it promises to form the most valuable acquisition to the biblical literature of the East that has proceeded

from European labour.' But there is another whom I must not omit to name—Mr. Thomason; whose labours are truly astonishing. He revised and improved Martyn's Persian translation. He has improved to a great extent the Arabic version of the Bible. And he is engaged in translating the Old Testament into Hindoostanee. He was constrained by the illness of his wife to come over to his native country; and, having been deprived of her, he accepted a chapel at Cheltenham, and a handsome pension of above £350 a year from the East-India Company, whom he had served for eighteen years. But he found he could not proceed with his translation here, and he was not happy whilst any thing he could do for India was neglected; and therefore he threw up his pension and his church, and is gone back to Calcutta (it is probable that at this very hour he is landing there), in order to complete the work he has begun. Now, I say again, my lord, these are the men to be sought out and sent forth as agents of this society: and if the superior officers in the society and the different committees breathe the same spirit, we cannot doubt but that we shall receive a divine blessing upon our labours."

The Rev. Professor Sedgwick, referring to that great field of Christian labour, the East, observed, that England had there an important duty to perform. The circulation of the Scriptures and Christian doctrines amongst the various tribes of our enormous empire, must be attended with the greatest good, if we merely regard their civil condition. This may be a humble motive, compared with those that are higher; but it cannot, and ought not to be left out of the account. Instead of that beautiful harmony which we find in the social system of the Christian world, the whole face of society is there disfigured by harsh lines of distinction, which are destructive of individual happiness. He believed, as a Christian, that the actions of man are as second causes in the hand of God. Our domination in the East is of the utmost importance, and if we mean to retain our power in that vast empire, it must be by doing good to it. He looked to this society to effect much benefit to that great country. As a good Englishman, he was unwilling to believe that our authority in the East is merely raised to crumble in the dust from its own weight—to rise as a bubble, to glitter and then burst by its own expansion. An opinion was formerly entertained, even by able and virtuous men, that Hindostan is not to be converted; but the natives at that time had only seen Englishmen as conquerors or as merchants, and it has been said that they had often cause to doubt whether we were sincere in our religion, or were of any religion at all. Great changes have been effected

fects in the opinions of the East since that time. The natives themselves have experienced the great good of our authority; prejudices have gradually disappeared; a number of pious and learned men have entered the field, who, even in those cases where they have not conquered by the power of spiritual weapons, have gained confidence from the natives by acts of kindness. This was, he trusted, the beginning of a better state of things; confidence and kindness belong to that temper of the mind which makes it ready for the reception of truth. Men will not receive a boon, however greatly it might contribute to their spiritual or temporal welfare, from persons whom they distrust. Men, admired for their sanctity and loved for their kindness, had gone out among the nations of Hindostan. Some of them are now labouring in the field, others have fallen a sacrifice to their labours almost at their beginning; but he could not believe that such men as Martyn and Middleton and Heber had lived to no purpose. If they did not live to see the accomplishment of that which they begun, they had at least made a beginning, and set a glorious example of men dying as a sacrifice in a great and good cause; and he humbly trusted that the odour of that sacrifice would rise up to heaven, and bring down a blessing upon all those who followed them in the same field. Much had already been accomplished, and the objectors to whom he had before alluded could now be answered by an appeal to facts.

Thanks were then voted to the Mayor and Corporation, to the right rev. Chairman, and to the committee of the society.

#### THE TEA TRADE.

A difference has arisen between the Court of Directors of the East-India Company and the principal tea-dealers, on the subject of what is called "lot money;" an appeal to the public, on the part of the latter, characterized by much acrimony, has appeared in the newspapers on this subject. The complaints made by the latter are, that fair-play is not given to them, and that advantages commensurate with those derived from their body to the East-India Company are withheld. In consequence of the very active competition in the tea-trade, and the very small profits arising from it to the wholesale dealers—the tea-dealers came to a resolution, in the beginning of October last, to address to the Hon. Court of Directors the following letter:—

"To the Honourable the Court of Directors of the East-India Company.

"Gentlemen: We, the undersigned tea-dealers of London, beg respectfully to call your attention to the very heavy charge of 'lot money,' to which we are subject-

ed, and which we are aware cannot be supported by any claim of right or of advantage to the trade.

"It is true that this charge, originally, we believe, a perquisite to one of your respectable servants, has been for many years, when the trade was very differently circumstanced, submitted to; but in the unexampled competition which at present pervades every branch of trade, the most rigid attention to economy, by the reduction of every unnecessary charge, has become indispensable, and the tea-dealers of London cannot be expected to continue any expense paid in their own wrong.

"We beg to submit to your Honourable Court, that you are not to any extent the warehouse-keepers of the goods of others, so that the charges of the West-India Dock, and other public companies, differ as widely in principle as they are comparatively unimportant in amount.

"The teas are lotted solely with a view to the advantage of the sellers, and in proportion to that advantage is the disadvantage to the wholesale buyer.

"We beg, therefore, respectfully to request that your Honourable Court will direct the charge for lot money to be discontinued. And we remain, with the greatest respect, Hon. Sirs, your obedient humble servants,

[Here followed the names of the nineteen greatest tea-houses in London.]

"London, Oct. 7, 1828."

Similar representations, it is said, were made from the principal tea-dealers of Edinburgh and Leith, to the court.

No decision having been come to upon this subject by the court previous to the last sale day, at the beginning of December, a partner in one of the most eminent tea-houses in the kingdom addressed the Chairman (Mr. Muspratt) upon the subject, and begged to be informed whether the wholesale buyers were to be liable, upon that occasion, to the usual charges for "lotting."

To this Mr. Muspratt replied, by stating that the subject was one of very great importance, and was at that moment under the consideration of the Court of Directors.

On the 27th December the memorialists received the following communication from the Court:

"East-India House, Dec. 26, 1828.

"Gentlemen: I have laid before the Court of Directors of the East-India Company the letter from yourselves, and other tea-dealers in London, dated the 6th of October last, requesting that the Court will direct the charge for lot or loading money upon tea to be discontinued.

"And I am commanded to acquaint you, in reply, that the Court have taken your letter into due consideration; and as the charge in question appears to be a very moderate

moderate return for services rendered by the Company in the delivery of the goods out of the warehouses to the buyers, the Court do not see it expedient to comply with the application proposed for its discontinuance. I am, Gentlemen, your most obedient humble servant,

"P. AUBER, Assist. Sec."

Great dissatisfaction is stated to have been felt by the tea-dealers on the receipt of this communication.

The publication from which we have extracted the foregoing particulars adds the following anecdote, the accuracy of which we are not prepared either to vouch for or to deny.

"The lot money was, in the infancy of the Company, given to one of the servants of the concern; but the Company finding that it was extremely productive, took it to themselves, and although not warehousemen, laid on charges which are, in the present state of the trade, found to be oppressive and insupportable. The servant alluded to lost this valuable perquisite in rather an odd way. He was so struck with the liberality of the Directors, in throwing him an addition to his salary, that he determined to invite them to dinner at his house at Blackheath. The entertainment which his gratitude dictated was such, as even the Directors themselves were unaccustomed to; there was not a delicacy of the season that was not on the hospitable board. The Directors were all astonished; and after congratulating each other on the magnificent treat, they returned home silent, but in deep thought. Next morning an inquiry was instituted into the amount of the salary and fees of their generous entertainer, and the 'lot money' was immediately struck off from his office, and adopted into the general concern. They, however, had so lively a feeling of the warmth with which he gave them a taste of his gratitude, that they increased his salary, we are told, about £1,500 or £2,000 a year."

The produce of this charge of 'lot money,' is thus calculated by the writer:—The East-India Company charge on a lot of tea of six chests, 1s. 6d., and on a lot of tea of nine chests, 2s. 3d.; while other companies, who can derive no such advantage as they do, charge no more than 6d. a lot, whatever may be its extent. Upon Bengal sugars, in lots of twenty bags, the Company charge 3s. 4d. a lot; while, on a lot of Mauritius sugar, of twenty bags, the charge at the West-India docks is 6d. The last tea sale was the greatest since 1814, when the quantity sold was precisely the same, namely, 93,774 chests, or eight millions of pounds. It consisted of 15,771 lots, which produced, according to the charges of the East-India Company, the sum of £1,268. 6s. 2d. At the warehouses of any other company,

the lot money upon this quantity would not have exceeded £399. 5s. 6d.

#### PRICE OF TEAS IN BRITISH AND FOREIGN AMERICA.

The following comparative statement of the sales of teas at Quebec, Montreal, New York, and Halifax, appears in the Philadelphia *Price-Current*.

TEAS.	NEW YORK, 26th May 1827.		HALIFAX, 18th June 1827.		QUEBEC, 5th May 1827.		MONTREAL, 19th May 1827.	
	Chests.	Price.	Chests.	Price.	Chests.	Price.	Chests.	Price.
Hyson .....	27½ } lb. 100 a 137		70 per lb. 90 a 95		49 per lb. 101 a 103		121 per lb. 103 a 105	
Young Hyson ..	206½ } .. 87½ 119		160..... 45½ 58½		127..... 89		106..... } 108½ 111½	
Hyson Skin.....	193½ } .. 50 82		190..... 53½ 74		50..... 53		103 Boxes } 55 56½	
Souchong .....	2129..... } .. 53 66½		15..... 50		77..... 50 69		637 Chests } 51 65	
Twankay .....	153 } .. 44½ 72½		—		881..... 58½ 60		40..... 51½ 61½	
Congou .....	442½ } .. 70		1,550..... } 53½ 52½		74..... 55		1,805..... 58½ 61½	
Bchea .....	293 } .. —		940 Boxes } 43½ 55		79..... 55		18..... 55	
			400 Chests 30½ 31½				79..... 35	

The prices are stated in American cents.

#### LECTURES AT LIVERPOOL.

A ridiculous piece of quackery is going forward at Liverpool, and other places are threatened with the same visitation. Lectures are being delivered there against the East-India Company's monopoly, which is naturally enough regarded by the Liverpool

verpool speculators with a jaundiced eye. One good may result to the disinterested portion of the public from these farcical exhibitions; individuals may be provoked to inquire, and inquiry will inevitably put them upon their guard against the delusions attempted to be practised upon them by self-styled "committees," as well as others, some of whose audacious misrepresentations we have already exposed.

#### MR. WYNN'S WRITERSHIP.

The examination of the candidates for a second prize-writership in the East-India Company's service, offered by the Right Hon. C.W.W. Wynn to the junior members of the university of Oxford, will begin on the 16th March next, and be continued on the days immediately following. The subjects of examination will be the four Gospels and Paley's Evidences; some of the best Greek and Latin classics; ancient and modern history, with the geography and chronology of each; English prose composition; the elements of pure mathematics; and of natural and experimental philosophy.

#### STATUE OF MR. HASTINGS.

Mr. Westmacott has nearly finished a noble statue of the Right Hon. Warren Hastings. It is intended for Bengal. The statue is above the ordinary height. On one side of Mr. Hastings, who is dressed in a simple robe, is a Brahmin, and on the other a Moollah. The latter is in a sitting posture, and appears bending with pious resignation over the book that contains all the oracles and dogmas of his religion.

#### BHURTPORE GUN.

The great gun taken at Bhurtpore, and presented to his Majesty by Lord Combermere, and the troops of his Majesty's and East-India Company's service, which co-operated under his Lordship's command in the assault and capture of that fortress, has been placed, by direction of his Majesty, in front of the barracks at Woolwich.

#### SETTLERS IN AUSTRALASIA.

*Regulations for the guidance of those who may propose to embark, as Settlers, for the New Settlement on the Western Coast of New Holland.*

1. His Majesty's government do not intend to incur any expense in conveying settlers to the new colony on the Swan river, and will not feel bound to defray the expense of supplying them with provisions or other necessaries after their arrival there, nor to assist their removal to England, or elsewhere, should they be desirous of quitting the colony.

2. Such persons as may arrive in that settlement before the end of the year 1830,

will receive, in the order of their arrival, grants of land, free of quit-rent, proportioned to the capital which they may be prepared to invest in the improvement of the said land, and of which capital they may be able to produce satisfactory proofs, to the Lieut.-Governor (or other officers administering the colonial government), or to any two officers of the local government appointed by the Lieut.-Governor for that purpose, at the rate of forty acres for every sum of £3 which they may be prepared so to invest.

3. Under the head of investment of capital, will be considered stock of every description, all implements of husbandry, and other articles which may be applicable to the purposes of productive industry, or which may be necessary for the establishment of the settler on the land where he is to be located. The amount of any half-pay or pension which the applicant may receive from government will also be considered as so much capital.

4. Those who may incur the expense of taking out labouring persons, will be entitled to an allowance of land, at the rate of £15, that is, of 200 acres of land, for the passage of every such labouring person, over and above any other investment of capital. In the class of "labouring persons" are included women, and children above ten years. Provision will be made by law, at the earliest opportunity, for rendering those capitalists who may be engaged in taking out labouring persons to this settlement, liable for the future maintenance of those persons, should they, from infirmity or any other cause, become unable to maintain themselves there.

5. The license of occupation of land will be granted to the settler, on satisfactory proof being exhibited to the Lieut.-Governor (or other officer administering the local government) of the amount of property brought into the colony. The proofs required of such property will be such satisfactory vouchers of expenses as would be received in auditing public accounts; but the full title to the land will not be granted in fee simple until the settler has proved, to the satisfaction of the Lieut.-Governor (or other officer administering the local government), that the sum required by Article II. of these regulations, viz. 1s 6d. per acre, has been expended in the cultivation of the land, or in solid improvements—such as buildings, roads, and other works of the kind.

6. Any grant of land, thus allotted, on which a fair proportion of at least one-fourth shall not have been brought into cultivation, otherwise improved, or reclaimed from its wild state, to the extent of 1s 6d. per acre, to the satisfaction of the local government, within three years from the date of the license of occupation, shall, at the end of the three years, be  
liable

liable to a payment of *Gd.* per acre into the public chest of the settlement; and, at the expiration of seven years more, should the land still remain in an uncultivated or unimproved state, it will revert absolutely to the crown.

7. After the year 1830, land will be disposed of to those settlers who may resort to the colony, on such conditions as his Majesty's government shall see occasion to adopt.

8. It is not intended that any convicts, or other description of prisoners, be transported to this new settlement.

9. The government will be administered by Capt. Stirling, of the Royal Navy, as Lieut.-Governor of the settlement; and it is proposed that a bill should be submitted to parliament, in the course of the next session, to make provision for the civil government of the new settlement.

Colonial Office, Jan. 13, 1829.

His Majesty's bomb *Sulphur*, and the hired ship *Parmelia*, of 440 tons, at £5

per ton per month, have been fitted out, to convey the government colonists and stores to the new settlement of Cockburn Sound, on the west coast of New Holland. No expense has been spared in the fitting of these ships, or in providing mess-tables for the passengers who proceed to this settlement. Capt. Stirling, *R. N.*, goes out as civil superintendent, and takes with him his family. Capt. Currie, *R. N.*, goes out as harbour-master, and various other passengers (with families) proceed to hold situations under government. Several artificers of different trades, with their families, also go out. Capt. Irwin and sixty men of 63d regiment, with families, go out in the *Sulphur*. Private settlers are fitting out ships to follow with all speed.

*Erratum.*—The dinner to his Majesty's ministers, reported in our last No. (p. 115), was on the 12th November instead of 13th October.

## SUPPLEMENTARY INTELLIGENCE.

### Calcutta.

#### MILITARY APPOINTMENTS, PROMOTIONS, &c.

*Fort William, Aug. 29, 1828.*—*Artillery Regt.* 1st-Lieut. and Br. Capt. T. D'Oyly to be capt., and 2d-Lieut. John Anderson to be 1st-lieut. from 27th Aug. 1828, in suc. to Oliphant dec.

*Lieuts. of Artillery promoted to Rank of Capt. by Brevet.*—C. G. Dixon, from 14th Aug. 1828; H. P. Hughes, from 15th Aug. 1828; W. M. Counsell, from 16th Aug. 1828; J. H. Middleton, from 23d Aug. 1828.

Lieut. Alex. Wright, 72d N.I., to be capt. by brevet, from 15th Aug. 1828.

Assist. Surg. Eben. Clarkson to be surg., from 12th Aug. 1828, v. Knight dec.

*Head-Quarters, Aug. 1, 1828.*—Lieut. Col. J. Auriol app. to command of European Invalids at Chunar.

Capt. and Brigade Major G. D. Stoddart posted to Dacca.

Capt. T. R. Fell, 40th N.I., to be aide-de-camp to Brig. Gen. Adams, v. Stoddart, app. a brigade major on estab.

*Aug. 5.*—Lieut. C. H. Cobbe, 60th N.I., removed from situation of adj. to regt., for inattention to duty.

Assist. Surg. W. M. Buchanan app. to do duty with 50th N.I.

*Aug. 6.*—Maj. Gen. G. Dick, removed from 16th regt. to 4th Extra N.I.

Brig. Gen. J. W. Adams, removed from 4th extra regt. to 16th N.I.

Lieut. Col. G. D. Heathcote, removed from 15th to 9th N.I.

Lieut. Col. St. J. Heard (new prom.) posted to 15th N.I.

Capt. and Brigade Major W. Badenach posted to Barrackpore.

Lieuts. H. Garstin, and C. D. Blair, 10th L.C., and Lieut. T. Gould, 11th N.I., having passed prescribed examination in Persian and Hindoostanee languages, exempted from future examination, except prescribed one by public examiners of Fort William, whenever they may visit presidency.

8th L.C. Lieut. C. D. Blair, 10th L.C., to act

as Interp. and qu. mast., v. Hogg, who has not passed prescribed examination.

10th L.C. Lieut. H. Garstin to be Interp. and qu. mast., v. Skipton dec.

*Sappers and Miners.*—1st-Lieut. W. H. Graham to be adj.

Lieut. R. L. Burnett to act as adj. to 54th N.I., during absence of Lieut. W. F. Beatson, and Lieut. A. A. L. Corri to act as Interp. and qu. mast., during absence of Lieut. A. Learmouth; both dated 8th July.

Ensign W. C. Baddeley app. to do duty with 59th N.I. at Barrackpore.

#### HIS MAJESTY'S FORCES.

*Head-Quarters, Aug. 7, 1828.*—Capt. the Hon. A. A. Dalzel, 46th F., to be aide-de-camp to Maj. Gen. the Earl of Carnarvon; to have effect from date of his Lordship's app. on general staff of Madras army.

#### FURLOUGH.

*To Europe.*—Aug. 28. Assist. Surg. G. M. Paterston, for health.

#### HIS MAJESTY'S FORCES.

*To Europe.*—Aug. 2. Capt. Dundas, 47th F., for health.—Capt. Meulen, 46th F., for health.—Capt. Abbel, 54th F., for health.—7. Capt. Sir A. Campbell, 13th L.Dr., and aide-de-camp to Gov. of Bombay, on private affairs.—Assist. Surg. Stewart, 6th F., for health.

#### MISCELLANEOUS.

##### WEATHER AND CROPS.

For some days past the weather at the Presidency has been more seasonable than it was; and the falls of rain more copious and continued. It is hoped, that in some districts the change will be in time to benefit the indigo crop, and raise the average crop over the country higher than a few weeks ago there was any prospect of its reaching.—*Cal. John Bull, Sept. 1.*

## SHIPPING.

## Arrivals in the River.

Aug. 23. *Angerona*, Redknap, from London and Madras; and *Almorah*, Boyd, from China.—Sept. 1. *Ganges*, Lloyd, from London and Madras; *Boyna*, Pope, from London and Madras; and *Indiana*, Webster, from Mauritius and Madras.

## Departures from Calcutta.

Aug. 26. *L'Uranie*, Toury, for Bordeaux; and *Edenore*, Lafitte, for Bombay and Bordeaux.—30. *June Harbour*, Hamilton, for Liverpool; and *La Belle Alliance*, Francis, for Mauritius.—31. *Swallow*, Adams, for Mauritius.—Sept. 1. *Monmouth*, Whitney, for Boston, U. S.

## Departure from Saigon.

Aug. 30. H.C.S. *Earl of Dalcarras*, Broughton, for China.

## Ships Loading, Sept. 2.

For London.—The Governor Hancourt, Victory, Minstrel, Euphrates, and Claudine.

For Liverpool.—The *Othello*, Bradock, Albion, and Bahamian.

For Mauritius.—The *Fame*, Elizabeth, Craigievar, Emulous, Prince Regent, Clifton, and Copernicus.

## BIRTHS.

Aug. 18. At Jubbulpore, the lady of Capt. Malcolm Nicholson, of a daughter.

24. At Kidderpore, Mrs. M. Rochford, of a daughter.

27. At Calcutta, the wife of Mr. J. J. Hyppolite, of a son and heir.

28. At Calcutta, the lady of Mr. Peter Palmer, of a son.

30. At Garden Reach, Lady Grey, of a son.

Sept. 1. At Old Fort Ghaut, Mrs. John Brown, of a daughter.

## MARRIAGES.

Aug. 25. At Calcutta, Mr. Andrew Long, assistant in the Clothing Board Office, to Miss Eliz. Thomas.

27. At Calcutta, Mr. W. Aldwell, to Miss H. C. Smith.

## DEATHS.

July 31. At Benares, of cholera, at six o'clock in the evening, Ensign Slack—and, at the same hour, on the evening following, of the same disease, Ensign Morton, both of the 43d regt. N.I. They were taken ill about the same time on the morning of the 30th July.

Aug. 13. At Nagpore, Susan, wife of John Wylie, Esq. M.D., residency surgeon.

— At Almorah, Mary Anne, lady of Capt. J. Watkins, 62d regt. N.I., in her 23d year.

23. At Howrah, Mr. D. Leitch, late 3d officer of the bark *William*, aged 21.

— At Sydadab, of a slight fever, Askan Cales-tan, Esq., aged 31.

25. At Calcutta, of fever, Rose Maria, widow of the late Mr. Manuel Nobrega, aged 21.

— At Calcutta, Sarah, wife of the late Mr. Henry Coward, aged 34.

27. At Chowringhee, Capt. W. Oliphant, Bengal Artillery, assistant secretary to the Military Board, Ordnance Department, aged 39.

28. At Calcutta, Mr. W. Knott, writer, aged 20.

29. At Calcutta, Thomas King, Esq., aged 38.

30. At Calcutta, Capt. John Greig, of the country service, aged 39.

## Bombay.

## MILITARY APPOINTMENTS,

1829. J. P. & Co.

Bombay.—Aug. 16.—18th N.I. Ens. W. B. Knipe, to be lieut. v. Pickford dec.; dated 6th Aug. 1828.

2d Europ. Regt. Lieut. J. P. Cumming to act as qd. mast., dated 22d July 1828.

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Aug. 16.—18th N.I. Ens. C. I. Curtis to be lieut. v. Pickford dec.; dated 3d Aug. 1828.

Aug. 20.—Assist. Surg. J. Bowstead app. to medical charge of H.C.'s ship *Marquis of Camden* during her voyage to China.

Aug. 21.—Cadets G. Hancock and C. R. Whitecock, admitted to infantry, and prom. to ensigns.

Aug. 23.—Mr. Secretary Bax to perform duties of secretary to government in military department, during absence of Chief Secretary from presidency.

Aug. 26.—Lieut. Col. E. H. Bellasis, corps of engineers, permitted to resign app. of commissary general.

Lieut. Col. E. Frederick, 25th N.I., to be commissary general from 1st Sept.; v. Bellasis.

Aug. 28.—Cadet F. Fenwick admitted to infantry.

3d L.C. Lieut. E. Walter to be adj., v. Johnstone, dec.; dated 27th July 1828.

Sept. 1.—Lieut. J. H. Bell, 11th N.I., permitted, at his own request, to resign commission in Hon. Company's service.

11th N.I. Ens. A. W. J. Logie to be lieut., v. Bell resigned; dated 25th Jan. 1829.

## FURLONGHS.

To Europe.—Aug. 14. Capt. R. Meldrum, 9th N.I., for health.—26. Cornet H. B. C. Roberts, 2d L.C., for health.—Lieut. Col. E. H. Bellasis, commissary general, for health.—29. Capt. John Lawrie, 9th Madras N.I., for health.

## MISCELLANEOUS.

## SIR EDWARD WEST.

In an *Extra Courier* of Tuesday last we announced the melancholy demise of the Hon. Sir Edw. West, knt., chief justice of the Supreme Court of Judicature at this Presidency, aged 45. Sir Edw. West died at Poonah on the 18th August, after an illness of only a few days.

Sir Edw. West was appointed Recorder of Bombay in 1822, and arrived here, in order to assume the functions of that office, on the 6th February 1823. Immediately on his arrival he applied himself to the reforming of certain abuses in the Recorder's Court, which had existed for a long series of years; and it is no mean praise to say of those reforms, that they were evidently founded on a sincere desire to give the natives of this country what they much wanted, a cheap and easy access to justice. In 1824 a Supreme Court was established at Bombay, on which occasion the Hon. Sir Edw. West was raised to the high office of chief justice. Pursuing his plan of reform, Sir Edw. West, at the last quarter sessions, in 1825, delivered his celebrated charge to the grand jury on the subject of the powers of the magistrates in this country, denouncing many of their proceedings as illegal and unnecessarily harsh, and requesting the attention of the community to their modification. The principle of the learned judge's charge, viz. that the acts he condemned were repugnant to the spirit of British law, were, we believe, generally admitted; but it has been found by experience, that the state of society in India requires that the spirit of English law should not be too rigidly adhered to, and

and steps are perhaps at this moment being taken to enlarge the magisterial powers which Sir Edw. West deemed it necessary to restrain.

With the advocates of the freedom of the press in India, Sir Edward West rendered himself particularly popular, by his refusal to register the Regulation of government, requiring persons to take out licences (revocable at will) for the papers they might wish to establish. His last public act was to introduce the natives to the privilege of sitting on juries. It is true this proceeding originated with the Parliament of Great Britain; but this is very little detraction from the late Chief Justice's merit, for assuredly the step which a judge makes is great, when he embodies the ideas of ingenious and speculative men in a substantive measure, and carries it into execution. Of the general character of the late Sir Edward West's judicial decisions, we have never had opportunities (nor, had opportunities presented themselves, should we have felt ourselves competent) to form an opinion. To the bar, we believe, he was uniformly courteous[?] and the dignity of the court, under his eye, was scrupulously preserved.

Of the politics of Sir Edward West we know nothing. As a political economist, however, we can affirm that his reputation stood very high, and some of his pamphlets in support of his particular principles attracted considerable attention not long since.\* In the relations of private life, Sir Edward West was amiable and domestic, and there are few, we believe, who knew him intimately, who will not lament his untimely demise. The remains of the late Sir Edward West were interred at Poonah, and the customary honours were duly paid to them. On the receipt of the intelligence of his death at the presidency, minute guns were fired corresponding with the age of the deceased, and the flag at the Castle was hoisted half-mast high.—*Bom. Cour., Aug. 30.*

*Damaun, 23d Aug. 1828.*—In consequence of the melancholy intelligence of the death of the Hon. Sir Edward West, Knt., chief justice of the Supreme Court of Judicature at Bombay, having reached this place yesterday, two battalions of infantry paraded last evening with reversed arms, and forty five minute guns were fired by a park of artillery, likewise drawn up for the occasion, followed by three volleys of musquetry by the infantry. The hon. the Governor, as *Regidtor da Justica*, and his suite, with the whole of the public

authorities of this place, both civil and military, attended the ceremony in full mourning.

It is said that the above honours have been paid by the hon. the Governor, as a particular mark of his esteem for the deceased.—*Ibid.*

#### JURISDICTION OF THE SUPREME COURT.

An application having been made for a writ of *habeas corpus* to be directed to Pandoorung Ramchunder, resident at Poonah, directing him to bring his nephew Mora Ragonath (said to be held in confinement by his aforesaid uncle) before the Supreme Court of Judicature at Bombay, it was supposed that the said Pandoorung Ramchunder, being a native resident at Poonah, was exempt from the jurisdiction of the court, and could not be amenable to such writ. The matter, we understand, was very fully argued before Mr. Justice Grant in chambers, on Saturday last, who ultimately directed that the writ of *habeas corpus* should issue.—*Bom. Cour. Sept. 6.*

#### FALL OF A HILL IN THE SOUTHERN CONCAM.

*Extract of a letter dated Colabah, 21st August:*—The hamlet of Cathewra, consisting of twenty-one dwellings, situated at the foot of a hill about two miles south of Beerwarra, in the direction of Kongoorry fort, had, on the evening of the 20th July, after the inmates had collected their cattle, been completely destroyed by what may be called an avalanche of earth from the adjoining hill. I found the place silent—an old man in a cow-hut was all I could see: the destruction had been complete, and left but this cow-shed and three other huts standing. The hill was neither very high nor remarkably steep. The heavy and incessant rain on the above day had penetrated the side of the hill and worked a passage to the rock under the earth, which from appearance lay from fifteen to sixteen feet in depth. The unfortunate beings could have had no warning, for at the same instant, themselves, their cattle and houses, were buried in the same grave: sixty-five souls, eighty-six cows and buffaloes, twenty-three goats, and eighteen dwellings, are the numbers I collected as swept off by this catastrophe. This bank of earth broke from the hill in form of a cone, the point, having loosened perhaps about sixty feet up the hill, and the base about forty yards in breadth, no doubt rested almost against the houses: in the velocity of its sweep, part of it reached a rivulet 800 yards down the plain, and scattered fragments of rafters and posts over a considerable space of battery ground, which it completely destroyed for this season. At the village the avalanche

\* Sir E. West was the author of a pamphlet on the Nature of Rent, published by him while a Fellow of University College, in which he expounded the same opinions on the subject which were about the same time advanced by Mr. Malthus, and afterwards applied by Mr. Ricardo.

lanche lay deep. I attempted to go across the end of it, and got up to my knees the first step. I then was nearly overpowered by a smell, doubtless similar to such as may always be found at those places yclep'd fields of glory a few days after the carnage. I left the spot contemplating on the "many ills this flesh is heir to."

#### THE EX-GRAND JURORS.

A change has "come o'er the spirit" of the ex-grand jurors. They have left off kicking against the levelling system, and now take their seats in the petit jury box with a humility, and a public spirit, as becoming as they are refreshing. There was but one stubborn dissentient this session, and he carried his point triumphantly. Pleas of courtesy, hints of personal consequence, were all dismissed by the judges as insufficient grounds of exemption. Then came the poser! "My lord, if I don't look after the moon and the stars *they'll all go out!*—and where will your lordships be then?"—"The force of argument "could no farther go."—The judge succumbed, and the ex-juror triumphed.—*Bom. Cour. Aug. 2.*

#### SHIPPING.

##### Arrivals.

*Aug. 11. La Bourdelais*, Laporte, from Bourdeaux.—12. *Clyde*, Scott, and *Chatham*, Bragg, both from Liverpool.—13. *Palanham*, Nash, from Glasgow; and *Carron*, McCarthy, from Bengal.—14. *Margaret Johnson*, Sowerby, from Liverpool; and *Hibberts*, Marley, from London.—21. *Arcturus*, Baillie, from Bengal.—Sept. 1. *Pomona*, Highat, from Liverpool.—2. *Captain Cook*, Willis, from London.—5. *Mountaineer*, Canny, from London; and *Anacharsis*, Bernard, from Bourdeaux.

##### Departures.

*Aug. 10. H. C. S. Abercrombie Robinson*, Innes, for China; and *Sultan*, Mitchell, for Madras and Bengal.—20. *England*, Reay, for Ceylon and London; *Ellen*, Boyle, for London; and *Lady Caroline*, Lingard, for Mauritius.—23. *H. C. S. Marquis Camden*, Larkins, for China.—26. *Dunrobin*, Gibb, Hane, for Ceylon, Mauritius, and Cape.—31. *Galleedinn*, Martin, for Mauritius.—Sept. 12. *Egyptian*, Lilburn, for Liverpool.

#### BIRTHS.

*Aug. 3. At Poona*, Mrs. Geo. Houston, of a daughter.

9. At Bombay, the lady of John Lewis Johnson, Esq., of a son.

14. At Colabah, the lady of Mr. W. Graham, of a daughter.

17. At Bombay, the lady of James Morley, Esq., of a daughter.

19. At Colabah, the lady of Capt. J. Scott, country service, of a daughter.

21. At Rutnagree, the lady of G. L. Elliot, Esq., of a daughter.

29. At Poona, the lady of Capt. Sutherland, 13th N.I., of a son.

Sept. 4. The lady of J. B. Simson, Esq., of a daughter.

#### MARRIAGE.

*Aug. 11. At Bombay*, Major A. Morse, acting quarter-master general of the army, to Julia Elmira, daughter of the late L. Philipps, Esq., of Cheltenham.

#### DEATHS.

*July 6. At Kirkee*, Lieut. G. K. E. Johnstone, adj. 3d regt. L.C.

*Aug. 6. At Bhowndy*, Lieut. R. C. Curry, 17th regt. N.I., aged 21.

16. On board the H.C. cruiser *Elphinstone*, A. Colman, Esq., assistant-surgeon of that ship, aged 23.

22. At Mazagaum, of fever, Miss Maria Jane Thomson, aged 17.

## Penang.

#### AFFAIRS IN AVA.

A report, said to have been brought hither from Madras, and from high authority, has gained considerable circulation and some credence during the last week. It is that the Burmese authorities who met the British commissioners appointed to settle the boundary line, and finally adjust the other dependencies of the treaty, had refused to enter into any negotiation upon the subject, and had began to erect a number of stockades in the most favourable situations between themselves and the positions occupied by the British forces. That in a return for a valuable present, estimated at 25,000 rupees, sent by the Supreme Government to the king of Ava, these authorities had very uncourtously delivered a finger ring worth about twenty-five rupees, and that no answer could be obtained to the demand for payment of the third and last instalment of the indemnity money. It is also reported that the British general at Moulmain was very desirous of punishing these breaches of faith and the disrespect evinced towards the supreme government, and had recommended immediate and vigorous measures.—*Penang Gaz. Aug. 10.*

## Isle of France.

#### BIRTH.

*Sept. 6. The lady of Major Wm. Bertram*, 16th Bengal N.I., of a daughter.

## Netherlands India.

#### DEATHS.

*Latelly*, At Padang, John Kemp, Esq.—At Batavia, Mr. J. R. Turing, aged 54.



## SHIPPING, BIRTHS, MARRIAGES, DEATHS, &amp;c.

PROMOTIONS AND CHANGES  
IN THE BRITISH ARMY.

(SERVING IN THE EAST.)

**4th L. Drags.** Lieut. J. May, from 11th F., to be lieut., v. Gumbleton, who exch. (15 Jan. 29); Lieut. G. H. Croal, from h.p. of 104th F., to be quarant., v. J. Dixon, who rets. cn.h. p. 104th F. (8 Jan.)

**13th L. Drags.** Cornet H. Elton to be lieut., v. Berwick dec. (21 March 28); Cornet R. Gethin to be lieut., v. Teesdale dec. (14 Aug.); Cornet T. J. Parker to be lieut. by purch., v. Gethin, whose prom. by purch. has not taken place (21 Nov.); Cornet F. Thorold to be lieut. by purch., v. Stokes prom. (16 Jan. 29); G. J. Walker to be cornet, v. Gethin (8 Jan.); T. G. Durdin to be cornet by purch., v. Thorold (16 Jan.)

**3rd Foot.** Lieut. P. Mackie to be adj., v. Mackay dec. (21 May 27).

**13th Foot.** Capt. R. Hare, from h.p., to be capt., v. H. Waterman, who exch., rec. dif. (18 Dec. 20).

**14th Foot.** W. Goode to be ens. by purch., v. Fenwick, who rets. (28 Feb. 28).

**26th Foot.** Maj. A. S. H. Mountain, from h.p., to be maj., v. Geo. L'ipin who exch., rec. dif. (25 Dec. 28).

**30th Foot.** Lieut. C. J. Boyes, from 38th F., to be lieut., v. Barlow, who exch. (1 Feb. 28).

**38th Foot.** Capt. H. Piper to be maj., v. Dely dec. (10 June 28); Lieut. B. Barlow, from 30th F., to be lieut., v. Boyes, who exch. (1 Feb.); Assist. Surg. T. Foss, from 50th F., to be assist. surg., v. Thomson dec. (7 June).

**40th Foot.** Lieut. Gen. Sir J. Kempt, from 81st F., to be col., v. Gen. Sir B. Spencer dec. (8 Jan. 29).

**46th Foot.** Lieut. C. Langworth to be capt. by purch., v. St. John, who rets. (8 Jan.); Capt. W. B. Bernard, from app., to be capt., v. C. Dawe, who exch., rec. dif. (9 Jan.); Ens. W. Green to be lieut. by purch., v. Langworth (8 Jan.); G. Sweeting to be ens. by purch., v. Green.

**47th Foot.** F. W. Mundy to be ens., v. White dec. (3 April 28).

**48th Foot.** Ens. W. F. Stubbs to be lieut. by purch., v. Thompson, whose prom. has not taken place (25 Nov. 28); G. M. Lys to be ens., v. Leech dec. (2 March); H. D. Gibbs to be ens. by purch., v. Thompson who rets. (30 April).

**49th Foot.** Ens. W. C. Rochford, from h.p., to be ens., v. Edden, app. to 27th F. (25 Dec. 20).

**57th Foot.** Staff Assist. Surg. R. M'Math to be assist. surg., v. Hennen, app. to Royal Military Asylum (18 Dec. 28).

**72d Foot.** Lieut. C. C. Craven to be capt. by purch., v. De Montmorency, who rets.; Ens. C. P. Traupad to be lieut. by purch., v. Craven, and T. Tod to be ens. by purch., v. Traupad (all 18 Dec. 28); Capt. W. Hyde, from h.p., to be capt., v. G. H. Lindsay, who exch., rec. dif. (25 Dec.)

**83d Foot.** Lieut. W. Garstin, from Ceyl. Regt., to be lieut., v. Caulfield, who exch. (25 Dec. 28).

**97th Foot.** Staff Assist. Surg. J. A. Topham to be assist. surg., v. Austin prom. (18 Dec. 28); Lieut. C. O'Neill to be capt., v. Haddock dec.; and Ens. J. McCaskill to be lieut., v. O'Neill (all 25 Dec. 28).

**Ceylon Regt.** Lieut. J. Burleigh, from h.p. late 2d Ceyl. regt., to be lieut., v. Fenwick prom. (30 Dec. 28); Lieut. H. Caulfield, from 83d F., to be lieut., v. Garstin, who exch. (25 Dec.); Capt. F. Du Vernet, from Royal Staff Corps, to be capt., v. Sweeney app. to 84th F. (15 Jan. 29).

## INDIA SHIPPING.

## Arrivals.

Dec. 30. H. M. S. *Undaunted*, Clifford, from Bengal 30th Aug., Mauritius 4th Oct., Cape 12th Nov., and St. Helena 27th do.; at Portsmouth.—Jan. 3.

*Caroline*, Haro, from Batavia 27th Aug.; off Dover.—16. *Madras*, Christian, from Bengal 23d Aug.; at Liverpool.—20. *Duke of Bedford*, Morris, from Bombay 3d March, Ceylon 2d April, and Cape 9th Nov.; at Weymouth.—21. *Arabian*, Wills, from Bengal 27th Aug., and Cape 12th Nov., at Liverpool.—21. *Asia*, Cooke, from Batavia and Mauritius; off Falmouth.—25. *Ganges*, Barker, from Batavia; off Plymouth.—26. *Egyptian*, Lilburn, from Bombay 12th Sept.; at Deal.—28. *Mary*, Bamber, from Bengal; off Dover.—29. *Ellen*, Boyle, from Bombay 20th Aug.; at Deal.

## Departures.

Dec. 26. *Henry*, Pearson, for Cape of Good Hope; from Deal.—27. *Guardian*, Dowson, for Penang and Singapore; from Deal.—29. *Columbine*, Tuit, for N. S. Wales; from Deal.—29. *Thomas Parsons*, Fleming, for Batavia and Singapore; from Liverpool.—30. *Lady Beesdam*, Elphery, for Bombay; from Deal.—Jan. 1. *Triton*, Crear, for V. D. Land and N. S. Wales; from Deal.—1. *Resolute*, Smith, for N. S. Wales; from Deal.—1. *Edward*, Gilbert, for N. S. Wales; from Cove of Cork.—2. *Orclia*, Hudson, for V. D. Land and N. S. Wales; from Portsmouth.—3. *Elizabeth*, Phillips, for Madras, Penang, and Singapore; from Deal.—3. *Maria*, Cobb, for Batavia, from Deal.—3. *Vibilia*, Stephens, for Cape of Good Hope; from Portsmouth.—3. *Dryade*, Kellock, for Bengal; from Plymouth.—4. *Fortuna*, Gilkeson, for Rio and Bombay; from Greenock.—4. *Rummymede*, Wildridge, for Bombay; from Deal.—5. *Andromache*, Laws, for Bengal; from Portsmouth.—5. *General Palmer*, Thomas, for Ceylon and Madras; from Portsmouth.—5. *Helena*, Grim, for Batavia; from Portsmouth.—5. *Lord Melville*, Brown, for N. S. Wales; from Portsmouth.—5. *Favourite*, Christie, for Cape of Good Hope; from Ramsgate.—5. *Ontario*, Arnold, for Bengal; from Liverpool.—6. *Royal George*, Grant, for Bengal; from Liverpool.—9. H. C. S. *Buckinghamshire*, Glasspoole, for Bombay and China; from Deal.—9. H. C. S. *Herefordshire*, Hope, for Bombay and China; from Deal.—10. H. M. S. *Sulphur*, Dance, for Swan River, Australia; from Portsmouth.—11. H. C. S. *Bridgewater*, Manderson, for Bengal and China; from Deal.—11. H. C. S. *Lady Melville*, Clifford, for Bengal and China; from Deal.—13. *Mary Ann*, O'Brien, for Madras and Bengal; from Portsmouth.—15. *Clyde*, Munro, for Madras and Bengal; from Deal.—16. *St. George*, Findlay, for V. D. Land and N. S. Wales; from Deal.—16. *Hopeful*, Mallers, for Cape and Mauritius; from Deal.—18. *John*, Freeman, for Madras and Bengal; from Portsmouth.—H. M. S. *Cruizer*, Colpoys, for Cape and Madras; from Portsmouth.—18. *Kenswell*, Armstrong, for Cape of Good Hope; from Deal.—18. *Rifeman*, Bleasdale, for Bombay; from Liverpool.—19. *Lord Wm. Bentinck*, Alison, for Ceylon (with troops); from Deal.—22. *Rose*, Andriet, for Bourbon; from Liverpool.—24. *Royal Admiral*, Wilson, for Madras and Bengal; from Deal.—25. *Canadian*, Reed, for Mauritius; from Deal.—29. H. C. S. *General Kyd*, Seale, for St. Helena, Bombay, and China; from Deal.—29. H. C. S. *Farquharson*, Cruickshank, for Bengal and China; from Deal.—29. H. C. S. *Inglis*, Dudman, for Bengal and China; from Deal.—29. *Prince George*, Harrison, for Mauritius and Ceylon; from Deal.

## PASSENGERS FROM INDIA.

*Per H. M. S. Undaunted*, from the Mauritius: Com. Biggs; Mr. Runnerwort, Assist. Surg.; Mr. Lowe.—From the Cape of Good Hope: Lieut. General Bourke; Col. Wade; and Major Andrews.—From Ascension: Capt. Nichols, royal marines.—*Per Arabian*, from Bengal: Rev. Mr. Mills, principal of Bishop's College; Mrs. Mills and daughter; Capt. Hawkins, 30th regt.; Andrew Macdonald, Esq.; Mr. Masters.

## PASSENGERS TO INDIA.

*Per H. C. S. Herefordshire*, for Bombay: Miss M. Woodhouse, returning; Mrs. Leighton, proceeding.

ceeding to her husband; Mrs. Willoughby and two daughters, proceeding to her husband; Lieut. Houston, 4th L. Drags.; Messrs. H. Price, C. P. Leeson, C. N. Treasure, and John Campbell, cadets; Ens. R. Lewis, Company's service; Major R. Robertson, ditto; Mr. C. Price, writer; Mr. R. Riddell, volunteer Bombay Marine; Mr. N. Mackenzie, free mariner; Mr. and Mrs. Kennedy; several European and Native servants; 150 men for H. C. artillery and infantry; 8 soldiers' wives; 2 children belonging to ditto.

*Per H. C. S. Buckinghamshire*, for Bombay: Maj. W. G. White, returning; Mrs. White and daughter; Lieut.-Colonel Stover, returning; Mrs. Stover; Mr. Crawford McLeod, returning; Mrs. McLeod; Messrs. A. Campbell and F. Jones, writers; Messrs. R. Mackintosh, A. Rathborne, E. Hall, H. Rudd, and J. C. Wright, cadets; Messrs. W. Fell, A. Whitburn, and W. E. S. Campbell, volunteers for Bombay Marine; Mr. R. Finlay; several European and Native servants; 150 non-commissioned officers and privates for H. C. infantry; 9 soldiers' wives; 3 children of ditto.

*Per H. C. S. Lady Melville*, for Bengal: Lieut. Col. T. Murray, Company's service, returning; Mrs. C. Turmond; Messrs. R. B. Morgan, C. Grant, R. C. Hepburne, D. I. Money, W. E. Money, and G. F. McClintock, writers; Messrs. A. H. Dyke, Jos. Green, H. A. Morrison, C. R. H. Christie, C. M. Collins, H. E. Pearson, and R. W. Clifford, cadets; Messrs. Young and Bowen, volunteers for pilot service; Capt. Gore, Lieut. Thorpe, Ens. Barry, and Ens. Stirke, H. M. 14th foot; Ens. Jennings, Ens. Fenwick, and Ens. Shakespeare, H. M. 13th foot; Ens. Leighton, H. M. 44th foot; 6 privates of 13th and 14th foot as servants to officers; 100 non-commissioned officers and privates of H. C. artillery and infantry; 6 soldiers' wives; 3 children of ditto.

*Per Elizabeth*, for Madras: Mr. Wm. Cragg; Mr. Rowlands; Mr. Fletcher; Mr. Stewart; Mrs. Cooke; Miss Cooke.

*Per Royal Admiral*, for Madras and Bengal: Capt. Wellbank and lady; Lieut. Richardson and lady; Mr. Spry; Mr. Herbert; Mr. Brassy; Mr. Daniels; Mr. Storm; Mr. Innes; Miss Dick.

*Per John*, for Madras and Bengal: Rev. Mr. Dealtree and lady; Lieut. Peppercorne and lady; Mr. and Mrs. Richards; Lieut. Buchanan; Mr. Baynes; Mr. Houghton; Mr. Teas; Mr. Hayman; Mr. Home.

*Per Lady Feversham*, for Bombay: Mrs. Goodrich and five daughters; Miss Baker; Dr. Trash; Dr. Malcolm; Capt. Collison.

#### MISCELLANEOUS NOTICES.

The *Elizabeth*, Pakes, from Batavia to Amsterdam, has been condemned at the Cape of Good Hope.

The *Galleon*, Martin, of Liverpool, bound from Bombay to the Mauritius, struck during the night of the 29th Sept. on the reefs off Mapon, and went to pieces. The specie and some articles were saved by the boats of H. M. S. *Undaunted*.

### MARRIAGES AND DEATHS.

#### MARRIAGES.

*Nov. 27.* At Malta, Capt. J. C. Roberts, A.D.C. to his Exc. Maj. Gen. Sir. F. C. Ponsonby, G.C.B., and Governor of Malta, to Marian, second daughter of D. Ross, Esq., of Calcutta, deceased.

*Dec. 22.* At Edinburgh, Colonel J. Brown, of the Bombay army, to Catherine, eldest daughter of Wm. Child, Esq., of Glencorse, county of Midlothian.

*Jan. 1.* W. J. Conolly, Esq., Bengal civil service, eldest son of the late W. Conolly, Esq., of Angle, Kent, to Matilda Frances, third daughter of the Rev. P. Le Geyt, of Marden Rectory, near Maidstone.

*8.* At Laugharne, Carmarthenshire, J. J. O'Donoghue, Esq., major 34th regt. Light Infantry, Madras establishment, to Theodosia Catherine, only daughter of the late Rev. Wm. Hamilton, of Bess-

brook, Newtown Limavaddy, county of Londonderry, Ireland.

*10.* At St. Mary's, Islington, Capt. W. H. Rowley, Hon. E. I. Company's service, to Anne, daughter of the late Mr. R. Parker, of Doctors' Commons.

*13.* At Lasswade Cottage, near Edinburgh, R. Ross, Esq., Charlotte Street, Edinburgh, to Miss Isabella M. E. McKenzie, daughter of W. McKenzie, Esq., late of Calcutta.

*15.* At Bexley, James, eldest surviving son of H. Stone, Esq., of Hall Place, to Mary Charlotte, widow of the late Capt. Johnson, Bombay artillery.

*22.* Mr. Jeremiah Henshaw, of Lamb's Conduit Street, to Mary Rebecca Ladd, sister to Capt. W. H. Ladd, Hon. E. I. Company's service.

*Lately.* At Newbury, Lieut. J. S. Roe, F.R.S., surveyor-general of Western Australia, to Matilda, daughter of the late H. L. Bennett, Esq., of Willaston, Cheshire.

#### DEATHS.

*Dec. 26.* At Barnstable, Maria, wife of Henry Gribble, Esq., Hon. E. I. Company's service.

*Jan. 1.* At Bath, Rachel, wife of Lieut. Gen. James Dickson, Hon. E. I. Company's service.

*3.* At Edinburgh, Richard, youngest son of Lieut. Col. H. Faithfull, Bengal artillery, aged three years.

*6.* In Sidmouth Street, Mecklenburg Square, Mrs. Frances Hughes Duncan, widow of John Duncan, Esq., late third member of the Medical Board, Madras, aged 51.

*7.* At Little Hallingbury, Essex, John Palmer, son of Capt. J. C. Whiteman, Hon. E. I. Company's service, aged four years.

*9.* At Margate, Capt. Malone, 9th Bengal Native Cavalry.

*16.* At Tor-hill-Cottage, Devonshire, Robert Stewart, Esq., Bengal Native Infantry, in his 20th year.

*20.* At Cheltenham, Lieut. Col. K. Egan, Hon. E. I. Company's service, and late commandant in South Concan, presidency of Bombay, aged 47.

*Lately.* At Mellis, Suffolk, Capt. Wm. Bullock. He received many honourable wounds while under the command of Lord Cornwallis, in various engagements against Tippoo Saib.

### GOODS DECLARED FOR SALE AT THE EAST-INDIA HOUSE.

*For Sale 10 February—Prompt 8 May.*

*Company's.*—Saltpetre.

*Licensed.*—Saltpetre—Pepper—White Pepper—Ginger—Cloves—Sago—Cassia Buds—Cassia Lignum.

*For Sale 12 February—Prompt 8 May.*

*Licensed.*—Aloes—Assafetida—Camphor—Gamboge—Gum Animi—Tincal—Star Aniseed—Bablah Seeds—Croton Seeds—Coculus Indicus—Cassia Fistula—Cardemoms—Cubebs—Sealing-wax—Castor Oil—Aniseed Oil—Oil of Mace—Oil of Nutmegs.

*For Sale 13th February—Prompt 8 May.*

*Licensed.*—Cochineal—Safflower—Turmeric—Gum Arabic—Seed Lac—Lac Dye—Galls—Sapan-Wood.

*For Sale 17 February—Prompt 8 May.*

*Licensed.*—Tortoiseshell—Elephants' Teeth—Seed Coral—India-Rubber—Hides—Paddy Bird Feathers—Mangocs—Mats—Rattans.

For Sale 23 February—Prompt 12 June.

Company's.—Bengal Raw Silk.

Private-Trade.—Bengal, China, and Persian Raw Silk.

For Sale 10 March—Prompt 5 June.

Company's.—Bengal and Coast Piece Goods.

For Sale 2 March—Prompt 29 May.

Ten.—Bohea, 1,100,000 lb.; Congou, Campoi, and Souchong, 5,400,000 lb.; Twankay and Hyson-Skin, 1,225,000 lb.; Hyson, 275,000 lb.—Total, including Private-Trade, 8,000,000 lb.

# CARGO of EAST-INDIA COMPANY'S SHIP lately arrived.

CARGO of the Madras, from Madras.

Company's.—Longcloths—Sallampores.

## LIST of SHIPS trading to INDIA and Eastward of the CAPE of GOOD HOPE.

Destination.	Appointed to sail.	Ship's Name.	Tonnage.	Owners or Consignees.	Captains.	Where loading.	Reference for Freight or Passage.
Cape and Madras Ports.	1893.						
	Graves, March 3	Madras	327	Charles Beach	Charles Beach	E. I. Docks	John Lyney, jun., Birch-lane.
	10	Palmyra	994	George Joad	H. Thompson	Portsmouth	Barber, Neate, & Co., Clement's-lane.
Graves Ports.	April 21	Admiral Benbow	372	Watson and Co.	John Crawford	W. I. Docks	Arnold and Woollet, & W. Redhead.
	28	Brunswick	450	Edw. Gibson	A. W. R. Parkers	W. I. Docks	Edmund Reed.
	28	David Scott	773	Mungro Gilmore	Jas. Jackson	E. I. Docks	Hunter and Co., Old Broad-street.
Madras & Bengal Ports.	March 7	Sir Edward Puzet	482	Green and Co.	John Campbell	City Canal	J. Pirie & Co., Freeman's-ct., Cornhill.
	10	Orient	397	White and Cooke	Thos. White	E. I. Docks	Capt. White, Jerusalem Coffee-house.
	May 1	Kingston	594	Wm. A. Bowen	W. A. Bowman	E. I. Docks	John S. Brinley, Birch-lane.
Graves Ports.	April 30	Cambridge	862	Palmer, M'Killop, & Co.	James Barber	E. I. Docks	Barber, Neate, & Co.
	May 15	Neptune	642	John Cumberlege	J. A. Cumberlege	E. I. Docks	John Lyney, jun.
Bengal Ports.	Feb. 3	Starra	659	Palmer, M'Killop, & Co.	David Sutton	E. I. Docks	Barber, Neate, & Co.
	10	Aurora	384	James Dilling	Thomas Scriven	W. I. Docks	Walter Buchanan, Leadenhall-street.
	20	Lucina	170	John Grey	John Billing, jun.	St. K. Docks	William Redhead, jun., Lime-street.
Bombay Ports.	Feb. 20	Valleyfield	430	Laid and Rickett	Wm. H. Laid	E. I. Docks	E. and A. Rule, Lime-street.
	28	Albion	334	John Chapman & Co.	Thos. Johnson	Lon. Docks	J. Muspratt, jun., New Broad-street.
	14	Albion	334	Senhouse Nelson	Wm. Ferguson	St. K. Docks	E. and A. Rule.
Mauritius & Ceylon Ports.	Feb. 20	Albion	334	W. H. Edwards	W. H. Edwards	City Canal	Joseph L. Heathorn, Birch-lane.
	28	Albion	334	W. H. Edwards	W. H. Edwards	City Canal	Wm. Abercrombie & Co., Cornhill.
	28	Albion	334	W. H. Edwards	W. H. Edwards	City Canal	Thos. Surfield, George-yard.
Batavia, Singapore, & Manila Ports.	Feb. 20	Albion	334	W. H. Edwards	W. H. Edwards	City Canal	Thos. Surfield, George-yard.
	28	Albion	334	W. H. Edwards	W. H. Edwards	City Canal	Thos. Surfield, George-yard.
	28	Albion	334	W. H. Edwards	W. H. Edwards	City Canal	Thos. Surfield, George-yard.
Cape Ports.	Feb. 20	Albion	334	W. H. Edwards	W. H. Edwards	City Canal	Thos. Surfield, George-yard.
	28	Albion	334	W. H. Edwards	W. H. Edwards	City Canal	Thos. Surfield, George-yard.
	28	Albion	334	W. H. Edwards	W. H. Edwards	City Canal	Thos. Surfield, George-yard.
St. Helena & Cape Ports.	Feb. 20	Albion	334	W. H. Edwards	W. H. Edwards	City Canal	Thos. Surfield, George-yard.
	28	Albion	334	W. H. Edwards	W. H. Edwards	City Canal	Thos. Surfield, George-yard.
	28	Albion	334	W. H. Edwards	W. H. Edwards	City Canal	Thos. Surfield, George-yard.
N. S. Wales Ports.	Feb. 20	Albion	334	W. H. Edwards	W. H. Edwards	City Canal	Thos. Surfield, George-yard.
	28	Albion	334	W. H. Edwards	W. H. Edwards	City Canal	Thos. Surfield, George-yard.
	28	Albion	334	W. H. Edwards	W. H. Edwards	City Canal	Thos. Surfield, George-yard.
F. D. Land Ports.	Feb. 20	Albion	334	W. H. Edwards	W. H. Edwards	City Canal	Thos. Surfield, George-yard.
	28	Albion	334	W. H. Edwards	W. H. Edwards	City Canal	Thos. Surfield, George-yard.
	28	Albion	334	W. H. Edwards	W. H. Edwards	City Canal	Thos. Surfield, George-yard.
F. D. Land & N. S. Wales Ports.	Feb. 20	Albion	334	W. H. Edwards	W. H. Edwards	City Canal	Thos. Surfield, George-yard.
	28	Albion	334	W. H. Edwards	W. H. Edwards	City Canal	Thos. Surfield, George-yard.
	28	Albion	334	W. H. Edwards	W. H. Edwards	City Canal	Thos. Surfield, George-yard.

# EAST-INDIA COMPANY'S SHIPS, of the Season 1828-9, with their Managing Owners, Commanders, &c.

Voyage.	Ships.	Tons.	Managing Owners.	Commanders.	First Officers.	Second Officers.	Third Officers.	Fourth Officers.	Surgeons.	Purses.	Commitments.	To be Afloat.	To be in the Month.	When Sailed.
7	Buckinghamshire	1367	Company's Ship	R. Glaspoole	Thos. Alchin	H. Cayley	C. W. White	A. Johnstone	R. G. Lancaster	Bombay & China	1828.	21 Nov	1828.	1828.
8	Herefordshire	1279	John Locke	Wm. Hope	R. Card	J. R. Lancaster	J. D. Hosman	J. Thomson	E. Crowfoot	Bombay & China	1828.	7 Dec	1828.	9 Jan.
9	Bridgewater	1276	James Sims	J. R. Manderson	W. H. Walker	C. S. Bawtree	Wm. Toller	F. Sims	G. Graham	Bombay & China	1828.	10 Feb.	1828.	11 do.
8	Lady Melville	1263	O. Wigram	R. Clifford	R. Clifford	Wm. Lewis	T. Littlejohn	H. Walford	T. Foulerton	St. Helena, Bombay, & China	1828.	8 Dec	1828.	28 do.
8	General Kyd	1268	R. Small	Samuel Serle	R. Aplin	A. C. Barclay	John Donett	John B. Down	P. P. Alley	Bombay & China	1828.	22 do.	1828.	5 Jan.
5	Farquharson	1266	J. C. Lochner	J. Cruickshank	R. Jobling	G. Lloyd	J. G. Murray	T. Rennie	J. Blennerhasset	Bombay & China	1828.	22 do.	1828.	10 Feb.
9	India	1266	R. Borradaile	J. Dudman	P. Herbert	W. B. Coles	Jas. Mowat	John Garner	John Lawson	Bombay & China	1828.	22 do.	1828.	10 Feb.
7	Duke of York	1327	S. Marjoribanks	R. Locke	G. Ireland	J. Thompson	Dudley North	H. L. Bayley	R. Mackenzie	Bombay & China	1828.	22 do.	1828.	10 Feb.
8	Hynde	1333	S. Marjoribanks	G. C. Arbutnot	H. B. Avarne	Robert Scott	C. K. Johnson	Wm. T. Dry	R. Alexander	Bombay & China	1828.	22 do.	1828.	10 Feb.
2	Duke of Sussex	1296	S. Marjoribanks	W. H. Whitehead	John D. Orr	Isaac W. Mure	C. Macrae	John Shum	C. D. Morison	Bombay & China	1828.	22 do.	1828.	10 Feb.
9	Attie	1267	C. O. Mayo	John Hine	H. Bristow	John Vaux	C. Hawkins	C. Morgan	R. Murray	Bombay & China	1828.	22 do.	1828.	10 Feb.
6	Kellic Cagle	1323	Geo. Reed	E. L. Adams	R. Patullo	Francis West	W. S. Stockley	J. Hamilton	John Cullen	St. Helena, Stra. of Malacca, & China	1828.	22 do.	1828.	10 Feb.
5	Thames	1320	H. Blanchard	J. K. Forbes	Chas. Penny	Wm. Clark	John M. Favel	Wm. Rudd	James Will	Madras & China	1828.	22 do.	1828.	10 Feb.
6	Windsor	1330	Geo. Chas.	T. Havistie	W. MacNair	Mark Clayton	R. E. Warner	Benj. J. Elder	Joseph Docker	Madras & China	1828.	22 do.	1828.	10 Feb.
5	Republie	1334	John F. Timms	J. Paterson	H. Gribble	A. C. Watling	G. S. Hirst	H. Baker	Wm. Scott	Madras & China	1828.	22 do.	1828.	10 Feb.
7	Waterloo	1324	Company's Ship	D. R. Newall	W. R. Blakely	F. Hedges	T. Packman	C. Evans	J. Halliday	China	1828.	22 do.	1828.	10 Feb.
8	Vanstatter	1273	Joseph Hare	H. S. H. Isaacson	H. Edmunds	A. C. Barclay	John Duncan	J. W. Wilson	D. Thompson	China	1828.	22 do.	1828.	10 Feb.
12	Society Castle	1242	Company's Ship	Peter Plücher	W. Taylor	J. Tate	D. Thompson	W. Hayland	John Benford	China	1828.	22 do.	1828.	10 Feb.
10	Louther Castle	1247	Matthew Isacke	G. K. Bathie	J. Gisborne	Thos. Addison	J. Hayward	R. Bartou	Jas. Lester	China	1828.	22 do.	1828.	10 Feb.
10	Charles Grant	1274	Wm. Moffat	R. B. Everest	J. Coates	C. A. Eastmure	C. H. Leaver	A. Burnell	F. Palmer	China	1828.	22 do.	1828.	10 Feb.
11	Thomas Grenville	884	Company's Ship	Chas. Shea	R. Robson	J. Crozier	A. Urnston	R. Mackenzie	Adam Elliot	Madras & Bengal	1828.	22 do.	1828.	10 Feb.
8	Minerva	976	Geo. Palmer	G. Probyn	Jas. Drayner	C. Ingram	A. Tudor	B. I. Littlehales	Wm. Chanter	Madras & Bengal	1828.	22 do.	1828.	10 Feb.
9	Princess Charlotte of Wales	973	C. B. Gribble	C. B. Bidden	C. W. Francken	David Home	Chas. Gribble	—	—	Bombay & Bengal	1828.	22 do.	1828.	10 Feb.
9	Marquis of Wellington	961	H. Bonham	A. Chapman	R. B. Shittler	J. S. Sparks	W. Lidderdale	—	—	Bombay & Bengal	1828.	22 do.	1828.	10 Feb.

# PRICE CURRENT, January 27.

## EAST-INDIA PRODUCE.

		£. s. d.	£. s. d.
Coffee, Java .....	cwt.	1 15 0	1 18 0
— Cheribon .....		1 14 0	1 19 0
— Sumatra .....		1 13 0	1 17 0
— Bourbon .....			
— Mocha .....		3 5 0	5 15 0
Cotton, Surat .....		0 0 4	0 0 6
— Madras .....		0 0 4	0 0 5
— Bengal .....		0 0 4	0 0 5
— Bourbon .....			
Drugs & for Dyeing.			
— Aloes, Epatia .....	cwt.	10 0 0	14 0 0
— Anniseeds, Star .....		5 0 0	5 5 0
— Borax, Refined .....		2 10 0	
— Unrefined, or Tincal .....		3 5 0	3 8 0
— Camphire .....		7 0 0	7 15 0
— Cardamoms, Malabar .....	lb	0 0 0	0 10 0
— Ceylon .....		0 1 0	0 1 6
— Cassia Buds .....	cwt.	5 0 0	
— Lignea .....		4 4 0	4 15 0
— Castor Oil .....	lb	0 1 0	0 1 6
— Dragon's Blood .....	cwt.	3 0 0	16 0 0
— Gum Ammoniac, lump .....		2 0 0	5 0 0
— Arabic .....		1 5 0	3 10 0
— Assafetida .....		1 0 0	4 0 0
— Benjamin .....		2 0 0	50 0 0
— Aniini .....		3 0 0	10 0 0
— Gambogium .....		20 0 0	27 0 0
— Myrrh .....		3 0 0	16 0 0
— Olibanum .....		2 10 0	5 10 0
— Kino .....		9 0 0	12 0 0
— Lac Lake .....	lb	0 1 0	0 2 0
— Dye .....		0 3 6	0 3 8
— Shell .....	cwt.	3 18 0	5 5 0
— Stick .....		3 0 0	4 0 0
— Musk, China .....	oz.	1 5 0	2 0 0
— Oil, Cassia .....		0 0 4	
— Cinnamon .....		0 17 0	
— Cloves .....	lb	0 0 6	0 0 8
— Mace .....		0 0 2	
— Nutmegs .....		0 2 9	0 3 2
— Opium .....			
— Rhubarb .....		0 1 0	0 5 0
— Sal Ammoniac .....	cwt.	2 14 0	3 0 0
— Senna .....	lb	0 0 9	0 2 0
— Turmeric, Java .....	cwt.	1 6 0	1 10 0
— Bengal .....		1 0 0	1 8 0
— China .....		1 15 0	1 16 0
Galls, in Sorts .....		3 0 0	4 0 0
— Blue .....		3 13 0	4 0 0

## Indigo, Blue.....lb

		£. s. d.	£. s. d.
— Blue and Violet .....			
— Purple and Violet .....			
— Violet .....			
— Violet and Copper .....			
— Copper .....			
— Consuming sorts .....			
— Oude good and mid .....			
— Do. ord. and bad .....			
— Low and bad Oude .....			
— Madras .....			
— Do. mid. ord. and bad .....			
Rice, Bengal White .....	cwt.	0 14 0	0 17 0
— Patna .....		0 17 0	1 1 0
— Safflower .....		1 10 0	9 0 0
— Sago .....		0 14 0	1 8 0
— Saltpetre .....		1 11 0	
Silk, Bengal Skein .....	lb		
— Novi .....		0 16 0	1 2 6
— Ditto White .....		0 16 2	1 1 8
— China .....		0 18 5	0 19 9
Spices, Cinnamon .....		0 4 0	0 8 3
— Cloves .....		0 1 3	0 2 6
— Mace .....		0 4 6	0 6 0
— Nutmegs .....		0 2 8	0 3 4
— Ginger .....	cwt.	0 16 6	0 17 6
— Pepper, Black .....	lb	0 0 3	0 0 4
— White .....		0 0 8	0 0 11
Sugar, Bengal .....	cwt.	1 10 0	2 0 0
— Siam and China .....		1 10 0	2 0 0
— Mauritius .....		1 1 0	1 18 0
— Ten, Bohea .....	lb	0 1 5	0 2 1
— Congou .....		0 2 2	0 3 0
— Souehong .....		0 3 3	0 4 3
— Campoi .....		0 2 4	0 3 7
— Twankay .....		0 2 3	0 3 3
— Pekoe .....			
— Hyson Skin .....		0 2 2	0 3 9
— Hyson .....		0 3 3	0 5 11
— Young Hyson .....			
— Gunpowder .....			
Tortoiseshell .....		1 12 0	2 14 0
Wood, Sanders Red .....	ton	9 0 0	10 0 0

## AUSTRALIAN PRODUCE.

Oil, Southern .....	ton	23 0 0	30 0 0
— Spermaceti .....		73 0 0	
— Head Matter .....			
Wool .....	lb	0 1 3	0 5 0
Wood, Blue Gum .....	ton	0 4	0 0 6
— Cedar .....		0 0 7	

## DAILY PRICES OF STOCKS, from 26 December to 24 January.

Dec.	Bank Stock.	3 Pr. Ct. Red.	3 Pr. Ct. Consols.	3½ Pr. Ct. Consols.	3 Pr. Ct. Red.	N.4Pr.C. Ann.	Long Annuities.	India Stock.	India Bonds.	Exch. Bills.
26	—	—	—	—	—	—	—	—	—	—
27	—	—	—	—	—	—	—	—	—	—
29	209 10	86½ 86½	—	95½ 95½	95½ 95½	—	—	—	65p	65 67p
30	209½	86½ 86½	—	95½ 95½	95½ 95½	—	19½ 19½	—	67 69p	66 69p
31	—	86½ 87	—	95½ 95½	95½ 95½	—	19½	—	68 69p	67 69p
Jan.										
1	—	—	—	—	—	—	—	—	—	—
2	209½	86½ 86½	—	95½ 95½	95½ 95½	—	19½ 19½	—	69 71p	66 69p
3	—	86½ 86½	—	—	95½ 95½	—	19½ 19½	—	73 74p	68 69p
5	210	86½ 87	—	95½ 95½	—	—	19½ 19½	—	74p	68 70p
6	—	—	—	—	—	—	—	—	—	—
7	210½	86½ 86½	85½ 86½	95½ 95½	95½ 95½	101½ 101½	19½ 19½	—	74 75p	69 71p
8	210 11	87½ 87½	86½ 86½	96½ 96½	95½ 96½	101½ 101½	—	—	75 76p	70 72p
9	212½	87½ 87½	86½ 86½	95½ 95½	95½ 96	101½ 101½	19½ 19½	—	77p	70 73p
10	211½ 2½	86½ 87	86½ 86½	95½ 95½	95½ 96	101½ 101½	19½ 19½	—	—	71 73p
12	212½	87½ 87½	86½ 86½	—	96½ 96½	101½ 101½	19½ 19½	—	76 78p	72 73p
13	212½	86½ 17½	86½ 86½	95½ 95½	96½ 96½	101½ 101½	19½ 19½	—	—	73 75p
14	212½	86½ 87½	86½ 86½	96 96	95½ 96	101½ 101½	19½ 19½	—	77p	74 75p
15	211½ 2½	86½ 87	86½ 86½	95½ 95½	95½ 96	101½ 101½	19½ 20	239½	76 77p	74 75p
16	211½ 2½	86½ 86½	85½ 86½	95½ 95½	95½ 95½	101½ 101½	19½ 20	—	74 75p	73 74p
17	212½	86½ 86½	85½ 85½	—	95½ 96½	101½ 101½	19½ 20	238½ 9½	—	68 73p
19	212½	86½ 86½	85½ 85½	95½ 95½	95½ 95½	101½ 101½	19½ 19½	—	64p	63 68p
20	212½	86½ 86½	85½ 86	—	95½ 95½	101½ 101½	19½ 19½	238	65 68p	67 68p
21	211½ 2½	86½ 87	86½ 86½	96 96	95½ 96	101½ 101½	19½ 20	239	67p	67 68p
22	211½ 2½	87½ 87½	86½ 86½	96 96	96½ 96½	101½ 101½	19½ 20	—	69 70p	68 70p
23	211½	87½ 87½	86½ 86½	95½ 96	95½ 96½	101½ 101½	20	—	68 69p	68 70p
24	211½	86½ 87	86½ 86½	—	95½ 96	101½ 101½	19½ 20	—	67 68p	67 69p

E. Erron, Stock Broker, 2, Cornhill, and Lombard Street.

# THE ASIATIC JOURNAL

FOR  
MARCH, 1829.

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## Original Communications,

*&c. &c. &c.*

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### THE LIVERPOOL ANTI-MONOPOLISTS.

WE learn, from a Liverpool paper, that on Wednesday, the 28th January last, at twelve o'clock, "a respectable and numerous meeting of the merchants and other inhabitants of the town was held in the Borough Sessions-room, for the purpose of considering of the most effectual measures to be adopted for the removal of the disabilities under which the free trader to India at present labours, in consequence of the restrictions imposed by the East-India Company;" and that the chair, upon that occasion, was taken by the Mayor, Nicholas Robinson, Esq.

After sundry speeches, or rather declamatory invectives against the East-India Company, which the speakers vented with the more confidence because they were well assured no dissentient voice was likely to be heard, the following resolutions were passed:

1. That the opening of a free trade to China, and the removal of the restrictions which impede the commerce between this country and India, would be productive of incalculable benefits, both to this kingdom and to the British territories in the East-Indies. That the extent of these benefits may in some degree be estimated, though very imperfectly, from the fact, that since 1814, the period when the present limited and partial intercourse with India was permitted, and notwithstanding the vexatious restrictions by which the British merchant has found himself impeded at every step, the commerce, in many staple commodities, has increased beyond the most sanguine expectation, while new sources of profitable interchange still offer themselves to British skill and enterprise.

2. That it appears from official returns, that in the year 1814, there were exported to India 604,800 yards of printed calicoes, and 213,408 yards of plain calicoes; while in 1827, the export of printed calicoes was 14,362,551 yards, and of plain, 19,932,580; the increase in the export of plain calicoes, the description commonly worn by the natives, being ninety-three fold; that, of cotton twist, so late as 1823, the export to India was only 121,500 lb., while, in 1827, the export was 3,063,968 lb., and has since been progressively increasing. That in metals, hardware, earthenware, and many

other goods, an immense increase of our export has also taken place. That in the year 1819, the settlement of Singapore, at that time resorted to chiefly by pirates, was taken possession of by the British Government, and made a free port; and in 1827, its import trade amounted to 13,387,185 sicca rupees, with a corresponding export, thus showing the extensive benefits to be derived from a free commercial intercourse, and altogether affording a greatly increased and increasing field of employment for British shipping.

3d. That notwithstanding this great increase in the demand for British manufactures, the present circumstances of the trade show clearly that a morbid and defective system of commercial policy alone prevents the further and rapid growth of the trade between this country and India: for while gold and silver were formerly exported, to purchase the products of the East, the demand for British manufactures, notwithstanding the gloomy predictions of the East-India Company of the want of markets, has increased to such an extent as to be limited only by the insufficiency of the products of the country for the purpose of returns—an insufficiency which is caused by the levying of heavy transit duties on the intercourse with the interior, and by arbitrary restrictions on the settlement and residence of Englishmen; as well as on the employment of British capital on the fertile, but neglected, soils of Hindostan.

4. That the cultivation of indigo indirectly by Europeans (at present permitted on sufferance by the East-India Company) has rapidly increased, till the produce now amounts in value to about two millions sterling per annum; affording the principal supply of every market of consumption in the world, and satisfactorily proving the vast capabilities of the soil, if allowed to be called forth by adequate capital, skill, and enterprise.

5. That while the exclusive privileges and arbitrary rule of the East-India Company are thus injurious, as regards the commerce with India, the absolute prohibition enforced by the charter against British subjects trading with China—a trade at once varied, extensive, and lucrative, and which the inhabitants of all nations (Englishmen only excepted) are permitted to enjoy—is still more oppressive and unjust. That, although the opening of trade to China and the East may seem more immediately important to the mercantile and manufacturing interests, it would, nevertheless, be of extreme value to the agriculturist, the fundholder, and the annuitant, from the great amount of wealth it would bring into the country, and from the consequent increase of commercial revenue which would be available for the reduction of internal taxation.

6. That the article of tea affords a prominent instance of the injurious effects of monopoly, the present price in London, free of duty, being more than 100 per cent. above the price in the neighbouring ports of Europe; thus imposing upon the people of this country a burden of upwards of two millions and a half sterling per annum, for the sole benefit of the East-India Company; whilst the Legislature has declared its intention that Great Britain should be supplied with tea as cheaply as continental Europe. That, by the 18th George II. cap. 26, sec. 11, a power was reserved to the Lords of the Treasury to grant permission to individuals to import tea from the continent of Europe, in case the East-India Company should neglect to supply the market with a sufficient quantity of that article, in order, as is expressly declared by the Legislature, to keep the price in this country upon an equality with the price in the neighbouring countries of Europe; and that so late as the year 1822, by 3d George IV. cap. 48, sec. 21, this law of George II. is expressly recognized as existing unrevoked and unaltered. That in the year 1825, being the 6th George IV., an act, cap. 105, was passed for the purpose of repealing a great number of acts of Parliament, relative to the commerce of this country, in order to simplify the laws of the Customs; with the avowed declaration, as is stated in the preamble, that the purposes for which these acts had been from time to time made, should be secured by new enactments, exhibiting their provisions more perspicuously. That by the act of the 6th of the present reign, the power for securing to the public a supply of tea, as cheap as it might be in other neighbouring countries was, it is presumed, unintentionally swept away from the statute-book. That in the same session of Parliament, and simultaneously therewith, another act was passed, cap. 107, which

which, whilst it professes to secure by re-enactment the purposes for which the acts so repealed were made, not only omits to secure to the Lords of the Treasury the power which had been previously so wisely given, in respect of the supply of tea, but absolutely restricts the importation thereof from any place but that of its growth, and by the East-India Company, and into the port of London. That thus, that salutary and equitable provision, devised by the wisdom and justice of previous Parliaments, has been wholly abrogated; and as no equivalent advantage was given to the public, it is considered clear that this provision has been inadvertently withdrawn: and that consequently it is not only competent to the Legislature, but incumbent upon it, to pass such enactments as will restore to the Lords of the Treasury the power so unaccountably revoked.

7. That independently of commercial consideration, this meeting contemplates with deep concern the state of mental debasement in which the mighty population of Hindoostan has been hitherto doomed to remain; while it is evident that a free and enlarged intercourse with the country, aided by a liberal and humane legislation, seems alone wanting to extend the benefit of civilization; to put an end (if the intervention of the Legislature should not sooner effect it) to the horrible custom of the burning of widows, together with other revolting superstitions, and to confer intelligence and happiness on millions of our fellow beings, possessing the strongest claims on our sympathy and protection.

8. That this meeting, strongly impressed with the importance of a well-organized effort on the part of the British people, to oppose and endeavour to prevent the renewal of the East-India Company's monopoly, and destructive powers, earnestly exhorts the inhabitants of other towns to the calm but determined expression of the public sentiment against the further continuance of a system, so partial and oppressive in its immediate operation, as well as so inimical to the best interests of this country and of mankind.

It is from the facts and inferences stated in these resolutions, then, that the Liverpool merchants ground their demand,\* that the restrictions imposed by parliament upon the trade to India should not be renewed.

Experience has taught us to be rather wary of the alleged *facts* of the Liverpool partizans (even when they profess to quote them from official papers), since we detected the misrepresentations in their notable "report." For the sake of the argument, however, we will assume the figures stated in the second resolution to be truly quoted. It follows, therefrom, that since the admission of free-traders to the East-Indies, the exports thither have greatly increased. This we cheerfully admit; we admit, further, that the trade of the free port of Singapore, since its occupation in 1819, when there was no trade there at all, has vastly augmented, and that it may, probably (for we have not the return before us), now have reached the extent stated. We, moreover, frankly admit that the cultivation of indigo by Europeans in India has materially improved that branch of the Indian trade. On these admitted facts, we join issue with the Liverpool speakers as to the result; they assert, and we deny, that these facts afford evidence of the necessity of breaking down those political barriers which Parliament has erected for the protection of our Eastern empire.

Ill-informed and credulous people, and it is to such chiefly that these Liverpool *naiaseries* are addressed, may perhaps believe that the existing restrictions upon the resort of Europeans to India are merely expedients to protect the Company's monopoly; nay, lest this inference should be too difficult for such persons to draw from the resolutions themselves, the speakers † who supported

\* One of the speakers was of opinion that they (the merchants of Liverpool) "should not go so much cap in hand to the government to request the abolition of the monopoly; but demand it as their indisputable right."

† Mr. James Cropper and Mr. A. Hodgson, *exempti gratia*.



ported them, expressly declared that it is the East-India Company by whom and for whose interests alone these vexatious restrictions are imposed.

Let us consider for a moment what they are:—first, a restriction which prevents the indiscriminate resort of Europeans to India. Such indiscriminate resort, without any restriction whatsoever, is declared by the Liverpool partizans to be requisite in order to give free scope to trade, and this, therefore, is one of the rights (imprescriptible, we suppose) which they demand. Not one syllable is uttered by any of the speakers with regard to the real object of this restriction: judicious persons are, indeed, in no danger of forgetting that that object was to guard against the introduction of individuals into India, to whom the overthrow of our nicely-poised authority in that country was a matter of indifference, compared with the profits upon the sale of a few pounds of twist. Another restraint equally injurious to trade, is upon the residence of Europeans in India, especially in the interior. The Liverpool partizans are probably prepared to shew that it is the imprescriptible right of itinerant merchants, bagmen and hawkers, to perambulate India, from Cape Comorin to the Himmalaya, and from the Ganges to the Indus, penetrating into every obscure corner, and diffusing wheresoever they went the inestimable blessings of free trade, and European civilization. The fact is carefully kept out of sight by the Liverpool speakers (for no person is bound to furnish his antagonist with arguments), that even in spite of the jealous and scrupulous vigilance of the East-India Company, animated as this body of course is by the vindictive spirit of monopolists, some individuals do find their way into the interior, whose conduct is far from being calculated to reconcile the Legislature of this country to a relaxation of this obnoxious restriction. Let us attend to what is written by Bishop Heber, who, whatever mistakes he may have committed, through inexperience, in regard to matters purely oriental, cannot be supposed to err with respect to the character of his own countrymen in India. He says: “many of the adventurers, who come hither from Europe, are the greatest profligates the sun ever saw; men whom nothing but despotism can manage, and who, unless they were really under a despotic rule, would insult, beat, and plunder the natives without shame or pity.” The reader will have observed in one of the foregoing resolutions (the fourth) the manner in which the concession of the East-India Company to the admission of Europeans to cultivate indigo is lauded. The speakers declaim pretty successfully on this head, and one of them tells us that this indigo cultivation is “universally allowed to be the precursor of good order, wealth, and comfort in Hindostan.” This proposition may be universally admitted at Liverpool; but its admission does not seem to be universal amongst those who have witnessed the effects of the measure on the spot. Bishop Heber, for example, seriously deprecates the introduction of more indigo planters into India; “they are *always*,” he says, “quarrelling with and oppressing the natives, and have done much in those districts where they abound to sink the English character in native eyes.” Now, this is one of the very evils against which the restriction upon the residence of Europeans in India was specifically framed to obviate. Whether the lamented prelate so intended this remark, we cannot know, but its decided tendency is to make the Legislature doubly cautious against opening more widely the doors to the residence of Europeans in the Indian provinces.

At the very moment we write, we have before our eyes another testimony to the same fact as that stated by the Bishop; the two statements corroborate each other. The petition\* of the native zemindars and talookdars of Bengal

\* See post, p. 353.

to the House of Commons, against the free admission of Europeans into the interior, contains the following passage :

That in the districts where the indigo planters and others have in a manner settled themselves, the people are more injured, and distressed, than in other parts of the country, in consequence of such indigo planters taking possession of lands by force, sowing indigo by destroying rice plant (which is the cause of diminution in the produce of rice, and dearth of the articles of consumption), detaining cattle of and extorting money from poor individuals, whose frequent complaints induced the Indian Government to pass Regulation VI. 1823 ; nevertheless, if they be permitted to hold any zemindarry or landed property here, the native zemindars and their ryots must be unavoidably ruined.

In short, it would be difficult to point out any restraint whatever now existing with regard to the intercourse of Englishmen with India, which is not altogether political, originating rather with his Majesty's Government than with the Company. The trade to India is, in fact, free, as far as regards the latter ; the obstacles which traders encounter in carrying it on, are attributable to the apprehensions of the Legislature as to the effects which the incautious behaviour of Europeans would produce upon a weak, timid, superstitious people, who necessarily view the natives of the west with secret dislike, and even abhorrence, and who are reconciled to a subjection to their present rulers solely by reason of the prudent, abstinent, and benevolent policy which characterizes their government.

But setting aside these considerations for a moment, nothing is more preposterous than to argue thus : that the trade to India, since 1814, has greatly increased, contrary to the expectation of many ; that therefore it is capable of still greater extension ; and that because it does not continue to augment in the same ratio as in the early years of free trade, therefore the sole impediment consists in the restraints still subsisting in respect to it. Even if these propositions were admitted, the conclusion to which the advocates of unrestricted trade would arrive is still far distant, namely, that therefore all restrictions whatsoever should be abolished.

With respect to the trade with China, the question is very different, and the circumstances of the case are altogether dissimilar. Two objects are primarily to be secured, previous to entertaining any project for withdrawing the interdiction upon British trade with Canton ; first, the Legislature must be satisfied that a change would not disorder our relations with China, and debar us entirely from access to an empire which is governed by anti-commercial maxims ; secondly, it must be assured that measures can be adopted by the revenue boards to counteract the evasion of the very high duty imposed upon the article of tea, the smuggling of which would almost inevitably be ruinous under an unrestricted system of trade. When these objects are secured, and the advocates for an open trade in tea can demonstrate—which they have never yet done—that they can supply the people of this country with the commodity at a cheaper rate, with reference to quality as well as price, than the East-India Company can do, we shall concur in thinking that the country has a right to insist upon the Company's exclusive privileges being withdrawn. But it is not by putting forth mendacious "Reports," that the Liverpool Association must hope to convince the people of England of this necessity ; they must not misrepresent plain facts, but meet the question fairly. Even at the meeting to which we refer, Mr. David Hodgson, a person who, we should have thought, knows better, after quoting a passage from the "Report" to which we have alluded, took upon him to assert one fact, "conclusive of the superiority which

which the Americans must possess in extending their trade with China," namely, that, "the tea imported by them is sold, in the markets of Europe and America, between forty and fifty per cent. cheaper than that supplied to England by the East-India Company. In short," he adds, "it appears that, for a series of years, whilst Americans imported tea sold at an advance, on the first cost in China, of forty-eight per cent., the Company were obtaining, through their monopoly, no less than ninety-two per cent."

It might be imagined, from the pertinacious repetition of such statements as these, that tea was like standard gold, of an invariable quality; whereas no commodity is more variable, none in which the denomination affords so uncertain a criterion of its value. When we hear of the Americans selling tea forty or fifty per cent. cheaper than the Company sell theirs, the true conclusion to be drawn from thence is that the teas are of proportionate qualities; and this inference tallies with the statements of competent witnesses at Canton. It is only necessary to examine the evidence given before the Select Committee of the House of Commons in 1813, to be convinced that the Americans purchase inferior teas, the refuse of the Canton market. The English supracargoes have the prior offer of all teas—indeed this is one of the grievances alleged by the Americans in their statement, to which we have referred on a former occasion,\*—and the Americans buy what is rejected by the Company's inspectors. The American writer, to whose letter reference is made in the note below, alleges another reason for the admitted inferiority of the teas purchased by his countrymen, namely, "the bad cultivation of the article by impoverished and defrauded tea-men," which is, of course, attributed to the machinations of the East-India Company's agents. It is somewhat surprising that the late war in the north-west of China has not, by some ingenious individual, been traced to the same source. Whatever be the cause, however, of the inferiority of the article supplied to the Americans, the fact is acknowledged, and that is all with which we have to do at present.

Yet after all, we are perhaps, conceding too much, in arguing upon the assumption that the American teas are really sold cheaper than the Company's. The fact is so asserted in Mr. Hodgson's speech, as we have already pointed out; but if the statement inserted in our last number (p. 246), from the *Philadelphia Price Current* be correct, the prices of teas at New York are higher, very much higher, than those of the teas in British America which are supplied by the East-India Company. The price of young hyson at Halifax, in June 1827, is represented at 45½ to 58½ cents. the lb.; whereas at New York that sort of tea sold at 87½ to 119 cents. the lb., the average of the former being 52, of the latter 98, nearly double! The prices of every other sort of tea are lower in British America than at New York, though not in the same degree. Nay, upon comparing the New York prices with the London, they appear higher. Taking the value of the American dollar at 4s. 6d., the following is a comparative statement of the prices of tea at New York and at London, in May 1827:

	Average price at New York.			Average price in bond at London.	
	s.	d.		s.	d.
Hyson..... per lb.	5	4	.....	4	11½
Young Hyson .....	4	7½	.....	4	3
Souchong .....	5	4½	.....	3	11½
Twankay .....	6	4½	.....	3	3
Hyson Skin .....	5	11½	.....	3	8

We have no knowledge of the rate of duty payable upon American tea for consumption, nor can we pledge ourselves to the accuracy of the account from which we have extracted the New York prices; but it is at least as much to be relied upon as the "Report of the Liverpool Association," from whence Mr. Hodgson seems to have taken his *data*.

It is curious to observe, however, that the sixth resolution contains a distinct negative to the argument in the "Report," which imputed to the East-India Company a violation of the law in regard to the supply of tea. The blunder was amusing.

But it is almost time to dismiss this subject for the present. The Liverpool anti-monopolists will find, and they probably have perceived it already, that they cannot fight the battle exactly in their own way; that they will be put upon the proof of facts, and upon the deduction of legitimate conclusions from their facts; that their misrepresentations and their declamations will be promptly exposed in this journal. In the mean time, we wish to address a word or two to candid and impartial inquirers upon these subjects,—those persons who have seen enough of the transactions of the world to desire a clue to the motives of individuals who put themselves extremely forward in the furtherance of a particular object.

Some thirty years back, a voice was raised throughout the country, excited in the first instance by the strenuous efforts of some disinterested and benevolent persons, to put a stop to the horrors of the African slave trade. The melancholy details they published of the dreadful scenes which took place in Africa, the sickening relations of the miseries of the middle passage, are now no longer doubted; they have become historical facts.

Who were the most prominent opposers of the abolition of this hateful traffic? Who were the parties who contended before the Privy Council, the Parliament, and the country, that the slave trade was a legitimate species of commerce, merciful to the beings who were the subjects of it, and highly beneficial to the country?—The merchants and traders of Liverpool. Who almost staggered the Lords of the Council by the mass of evidence they adduced, to show that "since the introduction of the trade, there had been a great accession of happiness to Africa,"\* and that the middle passage, the voyage from Africa to the West-Indies, was "one of the happiest periods of a negro's life"?†—The delegates from the mercantile body of Liverpool, one of the number of whom, examined before the Privy Council, declared that "the purposes of humanity could not be so effectually answered, in *any other way*, as by a continuation of the trade."‡ Who were the persons who fought the battle, inch by inch, in Parliament, against the decided sense of the country, loudly calling for the abolition?—The representatives of Liverpool, one of whom declared that "the *honours* and fortunes of the Liverpool traders depended on the continuance of this commerce." Where was it that the great advocate of the unhappy Africans, a man of the mildest and most unoffensive manners, was in danger of his life, from the vindictive animosity of the apologists of the slave trade?—at Liverpool. What says Mr. Clarkson himself?

There were, I believe, hundreds of persons in Liverpool, and in the neighbourhood of it, who had been concerned in this traffic, and who had left it, all of whom could have given such testimony concerning it as would have insured its abolition. But none of them would now speak out. Of these, indeed, there were some who were alive

\* Clarkson's Hist. of Abolition of Slave Trade, vol. I. p. 481.

‡ Min. of Evidence.

† *Ibid.*, p. 536.

alive to the horrors of it, and who lamented that it should still continue. But yet even these were backward in supporting me. All that they did was just privately to see me, to tell me that I was right, and to exhort me to persevere: but as to coming forward to be examined publicly, my object was so unpopular, and would become so much more so when brought into Parliament, that they would have their houses pulled down, if they should then appear as public instruments in the annihilation of the trade. With this account I was obliged to rest satisfied; nor could I deny, when I considered the spirit which had manifested itself, and the extraordinary number of interested persons in the place, that they had some reason for their fears: and that these fears were not groundless, appeared afterwards; for Dr. Binns, a respectable physician belonging to the religious society of the Quakers, and to whom Isaac Hadwen had introduced me, was near falling into a mischievous plot, which had been laid against him because he was one of the subscribers to the institution for the abolition of the slave-trade, and because he was suspected of having aided me in promoting that object.

Lest we should be accused of borrowing our facts from a partial witness, we subjoin an account of the opposition to this just measure from an impartial record. In Rees's *Cyclopædia* (art. "Slave Trade") we have the following statement respecting the evidence given before the Privy Council in 1788:—

The first witnesses examined were persons sent expressly as delegates from Liverpool, who had not only been themselves in the trade, but who were interested in its continuance. These endeavoured to show, that none of the enormities with which it had been charged belonged to it; and that it was even attended with circumstances favourable to the unhappy victims of it. A great prejudice was, therefore, excited in the very beginning of the inquiry, in the minds of some of the Privy Council, against the abolitionists, whom they considered as misinforming the public mind with respect to a traffic which appeared to be so vitally connected with the manufacturing and commercial interests of the country, that it would be almost national ruin to abolish it.

For what purpose, it may be asked, do we adduce these facts? Certainly not *ad invidiam*: our object in adverting to them is to show to candid and unbiassed persons how far mercantile interest will carry men in the support of, or the opposition to, a given object. The very same principle, which formerly actuated the Liverpool merchants to justify the slave trade, to palliate all its enormities, to white-wash the wretches engaged in it, and to *demonstrate*, in the teeth of adverse evidence, that its abolition would be ruinous to the trade of the empire, and to that of Liverpool in particular, is now again at work in manufacturing ingenious fallacies by which the safety and the necessity of a free resort of English traders to India are to be *demonstrated*. In the former case, the object was, by every expedient, to sink or soften the horrors of African slavery; in the latter, it is to exalt and exaggerate the horrors of the East-India monopoly; they even drag into the charge against the Company (in the seventh resolution) the "burning of widows," and the "revolting superstitions" of the Hindoos: to shew, we presume, how much the characters of the Liverpool traders had changed. We do not inquire whether any of the individuals composing the deputation in support of the slave trade now rank among the partizans in the present question; we dislike to meddle with individuals or their motives; it is with human motives in general we are dealing. The merchants of Liverpool have their own commercial interests in view, in the clamour they are making against the Company, and we contend that these are not the only objects, nor the chief, which the Legislature is bound to consult.

We ask only that the Legislature and the people of England will not hastily conclude that all which is alleged by the Liverpool partizans is true: they may, in the present case, as in the former, be—MISTAKEN.

## HISTORY OF MAHOMET.

*(Concluded from p. 159.)*

THE ninth year (A.D. 630—631) became celebrated for the influx of ambassadors from all parts of Arabia to congratulate him upon his victories, whence it was called *the year of the embassies*. Arabian authors compare their number to that of the dates which drop in autumn; Mahomet refers to the fact in the *Alcoran*.\* There was nothing wonderful in this circumstance. Whilst Meccu adhered to the ancient creed of the Arabs, the greater part of the tribes continued to regard that city as a rallying point; being now subjected to the yoke, it was no longer an asylum for idolatry, and it behoved the tribes to submit. Mahomet received the envoys with much dignity; he manifested towards each the attention which was due to him, and Arabia, almost universally, began to look upon him as her master and sovereign.

Circumstances could not be more favourable. In consequence of the troubles which had agitated the kingdom of Persia, the Arabian provinces, which had hitherto acknowledged the Persian authority, submitted to his yoke, and the viceroy of Chosroes became a Musulman. The ancient possessions of the kings of Abyssinia shared the same fate: the Romans alone retained their former ascendancy.

Meanwhile, Mahomet neglected nothing which might contribute to consolidate his power. He was accustomed, when a tribe became Musulman, to exact from it a tax, under the name of alms, amounting to two and a half per cent., levied upon the camels, oxen, sheep, and merchandize. The Arabs, habituated to the independence of the desert, sometimes found this burthen too heavy, and revolted; but no time was lost in bringing them to reason. He, at the same time, continued to send out detachments on every side, either to destroy idols, to revenge an outrage, or to acquire booty; the number of the converts daily increased; some of them were Christians. At length, perceiving no enemies around him worthy of his regard, Mahomet resolved to undertake a war against the Romans. He had heard that they were jealous of his growing power, and had taken measures for attacking him, and he wished to anticipate them.

His preparations were on a scale suited to the greatness of the undertaking. Contrary to his custom, he announced his design beforehand. Every man capable of bearing arms was ordered to be in readiness to follow him. As this was in the very midst of summer, when the population were getting ready for harvest, his soldiers shewed considerable repugnance, especially the forced converts from idolatry, who manifested a decided reluctance: all indeed began to be tired of these perpetual wars. But Mahomet paid little regard to their remonstrances. To those who objected that the weather was hot, he replied that it would be hotter still in hell; to others he represented that God was able to remunerate them for the loss of their harvest. He was warmly supported, in this emergency, by his chief companions. Abou Bekr gave him all he possessed; Omar surrendered to him half his property; Osman contributed 300 camels and 1,000 pieces of gold, and others in proportion. By these means Mahomet was enabled to collect 20,000 foot and 10,000 horse, probably the strongest force which Arabia had ever raised.†

The Musulmans had great difficulties to surmount in their march over a burning

\* *Vide sur. cx. v. 1.*† *Abulfeda.*

burning soil; the camels could find no forage, and many of the soldiers were left upon the road. The army had to traverse the country of the ancient Temoudites.\* Mahomet took the opportunity to inculcate upon his troops the fate attending unbelief. He pointed out to them the abandoned caves and deserted dwellings, and threatened them with a like visitation if they fell into the same impiety. When they reached the centre of the valley in which the Temoudites were accustomed to come for water, observing that the Musulmans, parched with thirst, were rushing forward to drink, he checked them, saying: "Beware of tasting this water, which was used by wicked people; fly this accursed abode; weep over your sins, and fear lest ye experience the same terrible chastisement!" He, at the same time, covered his face with his robe, and spurring his mule, galloped till he was out of the valley.

A little further on was felt the approach of a wind much dreaded by the Arabs, which they call *semoom*, that is "poison." Woe to those who are exposed to its effects! Its pestilential breath destroys animal life, and by its tempestuous violence men and cattle are carried away. So prudent were the measures of Mahomet, that the Musulmans were preserved from this scourge. By his orders, tents were pitched, and his soldiers were prohibited from leaving them. Two alone fell victims.

The army at length reached the place of its destination. This was a country called Tebook, situated midway between Medina and Damascus, not far from the coasts of the Dead Sea. It is a place watered by streams and planted with trees; the caravans halt here to take in a fresh stock of provisions. As no enemy appeared, Mahomet, after refreshing his army, contented himself with subjecting the neighbouring country, and returned to Medina. Amongst the people who recognized his authority at this time, are said to be the Arabs of Ailah, at the extremity of the Red Sea, and those of Gerah and Adraa, in the ancient land of the Moabites.

Meanwhile, the Arabs of Tayef, who were the only tribe, in this part of Arabia, which adhered to the worship of idols, finding themselves incessantly exposed to the attacks of their Musulman neighbours, offered to embrace Islamism, provided they were allowed the free exercise of their ancient religion for one year, and on condition that they should have a dispensation from prayer. Mahomet replied that the truth admitted no delay, and that religion without prayer was a non-entity. These idolators thereupon submitted to the Moslem religion; and there no longer remained in Arabia any people, embodied as a nation, attached to the practices of paganism. Mahomet then deemed it useless to constrain himself; he proclaimed that those who had not yet deserted idolatry and become Musulmans should be allowed four months for their conversion, at the end of which period, if unconverted, they should be exterminated. This declaration was read at Mecca in the presence of the people, and it was added that henceforward Musulmans alone should be admitted to the pilgrimage to Mecca, a rule which subsists to the present day.

It would be fatiguing to follow Mahomet in all the efforts he made to render his name and his religion triumphant. With indefatigable diligence, incited by an insatiable ambition, he spread his emissaries throughout Arabia Felix, Arabia Petræa, on the coasts of the Persian Gulf, and even amongst the nomade tribes in Mesopotamia. On some he imposed his religion, on others the payment of tribute; sometimes he appeared in the character of friend, and offered his powerful mediation.

On

\* A people of Arabia Petræa, of whom there is an Arabian tradition that in the patriarchal ages they were destroyed for their impiety by the Almighty, whose vengeance they had defied.

On the next arrival of the day of pilgrimage, he once more felt a desire to revisit his native city. This pilgrimage attested the wonderful progress of Islamism. Ninety thousand men, or, as some say, a hundred and forty thousand, prepared to follow the prophet, accompanied by their wives in covered litters and mounted on camels. The number of the victims corresponded to that of the pilgrims: in short, all Arabia seemed in motion. This, being the last, is denominated *the farewell pilgrimage*. The ceremonies observed by Mahomet on this occasion are worthy of mention, because they have since served as a rule or standard.

Previous to his departure, Mahomet bathed his whole body and anointed himself with oil. On his arrival at Mecca, he reverently kissed the black stone in which the compact between God and mankind is supposed to be contained. He then made the customary seven circuits round the Caaba; the three first gently running, the four last walking sedately, in the ordinary pace. Then leaving the city, he ascended the hill of Safa, from whence, turning himself towards the Caaba, he uttered these words in a loud voice: "God is great; there is no other God but God; he has no companions. Power belongs to him. To him be praise! He is omnipotent. There is no other God but God." After this, he proceeded to the hill of Merva, where he uttered a prayer. He visited successively all the holy places; when he had finished, he published the following message from heaven: "Miscreants will no longer dare to attack thy religion: fear them no more; to-day have I put the last finish to it."\* It is reported that at these words, Abou Bekr, from a painful sense of how much he wanted to reach perfection, burst into tears. The words just quoted are considered by the Musulmans as the conclusion of the *Alcoran*.

Mahomet next performed his sacrifices, and afterwards gave liberty to sixty-three slaves. Previous to returning to Medina, he introduced two important reforms.

First, he abolished the sacred months, as they were called, which constituted the season of general repose before-mentioned. Since Mahomet had become sole master of the country, the reason ceased; and he abrogated these months, observing that all months were alike good for fighting the enemies of God. The second reform was in the calendar. It appeared that, in primitive times, the Arabian year was regulated by the course of the moon; it consisted of twelve months of twenty-nine or thirty days each, which made in the whole 354 days. A regard to the more regular order of the seasons, led to an attempt to reconcile the lunar with the solar year. As the latter has about eleven days more than the former, the Arabs conceived the idea of adding a thirteenth month every third year. The pilgrimage of Mecca suggested one of the motives for this alteration. From the earliest period, the people of Arabia had been accustomed to visit the Caaba every year, and this assemblage in the sequel attracted merchants and traders. The consequence of conforming to the real lunar year, was that the pilgrimage, which had been fixed, from remote antiquity, in the last month of the year, happened sometimes in winter, sometimes in summer, sometimes at seed-time, sometimes in harvest. To remedy this inconvenience, the year was reduced to an approximation to uniformity, and its commencement was so arranged that the last month corresponded to the beginning of spring. Mahomet, who professed himself the restorer of ancient usages, abolished this regulation, so that the period of the pilgrimage again traversed the different seasons of the year.

Mahomet



Mahomet at length returned to Medina. He was then at the very summit of power. No man, no nation in Arabia was in a condition to resist him. He was absolute master of the peninsula, and there is every reason to believe that he would soon have carried his arms beyond its boundaries, had not a violent disorder, which attacked him on his return from Mecca, hurried him to the grave.

Ever since the Khaibar expedition, the prophet had experienced the effects of the poison. On his return from Medina, his sufferings were so great that he thought the veins of his heart were bursting. The disorder manifested itself by a violent head-ache accompanied by fever. He chose as his nurse, Ayesha, whom he loved more than his other wives, and who was the depository of all his thoughts; hoping that, should the excess of his anguish extort from him some indiscreet confession, she would have prudence enough to keep the secret. To procure some relief to his fever, which was continually increasing, large skins of water were thrown over him; but in the midst of his sufferings he did not lose sight of his interested policy.

A short time previous, there had appeared in Arabia two other impostors, who, encouraged by his example, endeavoured to make proselytes. One of them, named Mossailama, took up his residence in the province of Yamama, in the very part where the sect of the Wahabites sprung up at a later period; the other, whose name was Asvad, resided in Yemen, or Arabia Felix. Each of them, during this period of revolution, had acquired a very considerable number of partisans, and imposture, like a vast conflagration, seemed to threaten all Arabia. This was attacking Mahomet with his own weapons. He he rallied all his partizans in those countries, and took his measures so well, that on the day before his death Asvad was stabbed in his palace. Massailama fell soon after.

In order to confirm his disciples, Mahomet affected perfect serenity: he spoke incessantly of God and of the life to come. One day, when those around him appeared struck with his sufferings, he observed: "No prophet before me experienced what I feel; but the greater the pain the greater the reward." Another time he said, "The Lord gives his servants the choice of this world or the next; I have preferred the latter, to be near God."

On Thursday, the second day of his disorder, thinking himself a little better, he wished to be present at prayers with the people. He was carried to the mosque, and after having praised God, he spoke thus: "Men, if I have caused any one of you to be beaten unjustly, behold my back, let him treat me as I treated him; if I have soiled the character of any one, let him blast mine; if I have iniquitously exacted money, here is my purse." Hereupon a person present having claimed three drachms, Mahomet gave them to him, saying, "I would far rather have to blush in this world than in that which is to come."\* He then enfranchised all his slaves, and communicated to his companions his last wishes. His directions were three in number: first, he commanded them to expel from the peninsula all idolators and those who professed not Islamism; secondly, he required that all proselytes should be indiscriminately received, without distinction between new and old Musulmans; and lastly, he recommended prayer. He ended by bestowing a malediction upon the Jews, whose hatred had conducted him to the grave.

On the Friday and following days, Mahomet continued to be conveyed to the mosque. On his return, he discoursed concerning religious matters, and also

\* Abulfeda and the *Chronicle of Tabari*.

also gave directions regarding the disposal of his remains after he was dead. He blessed those who were present, and charged them with his benediction to the absent: "I take you to witness," added he, "that I bestow it upon all who come after me for ever."

His malady now began to assume a more serious character, and his mind became enfeebled. Upon one occasion, when several persons were about him, he called out for pen and ink to write a new *Alcoran*. "I will write a book," said he, "that will prevent all error after my death." At this a violent tumult arose in the apartment; "have we not an *Alcoran* already?" they asked; "was that book not sufficient for this world and the next?" Disputes ensued, and the clamour grew so loud that it restored Mahomet to his senses; whereupon, he dismissed them, saying, "it is not decorous to quarrel thus in the presence of God's apostle." From this time, access to him was more difficult; what follows is known chiefly from the testimony of Ayesha, who did not quit him till he died.

It is related that Mahomet had by him a vase of water, in which he dipped his hands from time to time, in order to refresh himself, saying: "O my God, fortify me against the terrors of death." The moment before he died, he fainted; then opening his eyes once more, he ejaculated: "O God!—yes—with my fellow-citizen on high" (*i. e.* the angel Gabriel)—and expired. This was on Monday, the 12th of Rabi the first, or the 8th June 632. His age was about sixty-three.

As soon as his death was reported throughout the city, a prodigious uproar arose. The people asserted that he was not dead, but that, like Moses and Jesus, he had merely gone on a visit to the Almighty. "How should he die," said they, "who must be our witness and mediator at the great day of judgment?" Amongst the most fervent of these was Omar, who traversed the city sword in hand, threatening to slay any one who should dare to assert that the prophet was no more. At length, Abou Bekr succeeded in shewing, from divers passages in the *Alcoran*, that Mahomet was subject to the same laws as other mortals, and the uproar, at length, subsided.

A new subject of dispute immediately followed: who was to succeed him? Mahomet had left no son; and although his cousin and son-in-law, Ali, seemed to unite every claim, several of the prophet's companions were in a condition to contest the sovereignty with him. The Meccans vaunted their noble origin and their affinity with Mahomet; the Medinese boasted of their zeal, and appealed to the fact of their having afforded the prophet an asylum against the violence of his own countrymen. Each party wished the new sovereign to be taken from their number; and often were they on the point of coming to blows. The discussion lasted three days; it was terminated by Omar suddenly taking Abou Bekr's hand, and swearing fidelity to him. This act was followed by all present, and the dispute ended.

New differences arose regarding the funeral of the prophet. The Meccans required that the body should be transported to Mecca, Mahomet's native place; some proposed its conveyance to Jerusalem, the spot where the prophets of old were buried; others contended that he should be interred in the city in which he died. Of this opinion was Abou-Bekr, who remarked that it was the usage in respect to all prophets.

The funeral ceremonies were superintended by Abbas, the uncle of Mahomet. Ali bathed the corpse and helped to embalm it with camphire. All the people, conformably to the directions of the prophet, assembled to pray for him. At the head of the procession was Mahomet's family; next followed his companions,

panions, and lastly the mass of the Musulmans, men, women, and children. The utmost order prevailed. His grave was dug under the very couch in which the prophet drew the last gasp. In after times, a mosque was erected on the spot, whither his disciples came on pilgrimage.

Mahomet was naturally lively, affable, and equable in temper. He listened patiently to every one, and, according to his biographers, in his social moments he was never the first to rise. His conversation was easy and sprightly; he was even fond of a joke. An old woman having applied to him to intercede with God to obtain her a place in Paradise, he replied that Paradise was not made for old women. The poor creature bursting into tears, he added: "true, old women enter not into Paradise, for God makes them young, beautiful, and charming, in short, worthy of their new husband."

The dwelling of Mahomet was plain, unostentatious, and like that of a private person. He had twenty female camels, a hundred sheep and six or seven goats, which furnished milk for his domestic use. The land he possessed provided him with the barley and dates he required. Dates and water were often the only articles of food in his house. For two months together no fire would be lighted there.

On a journey, Mahomet had one of his slaves to ride behind him on the same animal; both ate out of the same dish. At home, he passed his time with each of his wives in succession, or took an unceremonious meal with his friends. He was not distinguished from other persons by dress, any more than by his mode of living. He at first indulged himself with cotton; thinking cotton too luxurious, he refrained from using it, and dressed in woollen. He mended his own stockings and shoes, repaired his own clothes, lit his own fire, swept his own chamber, and waited upon himself.\*

He practised abstinence even to excess, insomuch that sometimes, in order to appease the rage of hunger, he was obliged to press his stomach with a stone.

The greatest part of the barley and dates which Mahomet cultivated, he gave away to the poor. He constantly entertained forty persons at his own cost. He never said "no" to any request preferred to him. Hence it happened to him more than once to be in want of the common necessities of life. According to his biographers, "God had offered him the keys of the treasures of the earth, and he declined them."

In his domestic character he was kind, easily pleased, and of a disposition which conciliated affection. When the relations of Zaid, his slave, of whom mention has been already made, and whom he enfranchised afterwards, came to redeem him, Zaid refused their offer: "where," said he, "shall I find a father so indulgent, a master so mindful of my interests?"

Mahomet had the least restraint over himself in respect to women, especially towards the close of his life. This inclination, and a fondness for perfumes, were, as he confessed, his two predominant passions. As soon as he saw a handsome woman, he put his hand to his forehead and began to arrange his hair. He was not disgusted with a little flattery. Ayesha having once repeated some verses to him in which he was compared to a glittering cloud,† he could not contain his delight, but exclaimed: "O Ayesha, God bless you!" Contrary to the simplicity of his ordinary habits, he imitated the example of his countrymen in painting his eyebrows black, and his finger-nails red.

Besides his female slaves, he had no less than twelve wives; nine were alive at his

\* Aboulfela.

† These verses are preserved in the *Hamasa*.

his death. This was a palpable violation of his own precept,\* which fixed the number at four. He pretended that his prophetic character exempted him from the law. It is apparent, as well from his actions as from certain descriptions in the *Alcoran*, that he placed supreme felicity in sensual pleasures. The fact of his indulgence in this particular is not concealed by Musulman teachers, who allege that the Deity granted him this latitude, as a mark of particular favour. His jealous temperament restrained his wives from the smallest freedom: he would not permit any person to approach them; the interdict appears in the *Alcoran*.† This jealousy extended beyond the grave; he prohibited any one of his wives from re-marrying after his death. Some of them were still young, Ayesha, for example, who was scarcely twenty. Nevertheless his commands were fulfilled; they all are reported to have led an irreproachable life.

Mahomet manifested an extraordinary zeal in behalf of his friends: he was fond of serving them with the same ardour with which they served him; this, in his estimation, was the surest method of attaching them to his cause. By a natural consequence, he was on familiar terms with them, took part in all their concerns, and entered into all their views. He was particularly careful to uphold the respectability of those whom he clothed with authority. Upon one occasion, when he despatched an officer from Medina to govern a province, he placed with his own hands the turban on his head, and having assisted him in mounting his horse, attended him some distance on foot, saying: "it is proper that those who are invested with command should be treated with respect; I only conform to the will of God."‡

In proportion to his desire to serve his friends was his implacability towards his enemies. If any one threw obstacles in the way of his projects, he gave free scope to his resentment, and employed steel or poison without scruple. He partook of the vindictive temper of his countrymen in this respect; and, generally speaking, he did not begin to display any magnanimity till the complete establishment of his power placed him above the necessity of resorting to these horrible expedients.

The activity of Mahomet was indefatigable. His mind was constantly at work; he was incessantly employed either in counteracting the designs of his enemies, or in fighting with them. His biographers imply this when they say that even whilst the prophet slept, his heart was engaged on divine revelation.§ He was most dreaded in war. The Musulmans reckon twenty-seven expeditions in which he was engaged: whence he came to be called *the prophet of wars and battles*, or *the prophet of the sabre*.

Mahomet was endowed with a perfect knowledge of mankind, and had the art of directing their talents to his own advantage; some were employed in honourable, some in discreditable actions. When any bloody execution was in contemplation, he commonly had recourse to Omar, whom he could restrain, however, when necessary. It was a maxim with him to commit no crimes that were not useful, and above all not to share the odium of them. Once, however, he betrayed his policy. An Arab, who had grievously offended him, implored his pardon. Mahomet, expecting that those who were about him would, by a prompt act of assassination, spare him the disgrace of refusing the prayer, suffered the man to speak on. At length, seeing his companions remain passive, he dismissed the petitioner. After he was gone, he said: "as you perceived that I avoided giving him an answer, why did you not rid me of him?" Upon his companions

\* See the *Alcoran*, sur. iv. v. 3    † *Ibid.*, sur. xxxiii. v. 50.    ‡ Tabari.    § Arab poem of *Borda*, v. 112

companions replying that they waited a signal from him, he coldly remarked that it was not for prophets to make signs.

He acquired a knowledge of whatsoever was said or done: men whom he could depend upon, kept him informed of every thing. Even his companions were sometimes astonished at this penetration, the credit of which he was accustomed to ascribe to the revelations of the angel Gabriel. The Musulmans account for this sagacity of Mahomet by asserting that he had between his shoulders two small eyes as fine as the eye of a needle, with which he could see even through a dress.

Mahomet possessed all the natural qualifications which are calculated to impose upon the multitude. He had a quick apprehension, a retentive memory, an astonishing presence of mind; the expressions which came from him were such as suited his own peculiar interests. His education had been neglected; in a country where the arts and sciences were uncultivated, he had not even learned what could be taught there. He boasted that he could neither read nor write, and with the view of instituting a comparison between his paucity of instruction and the learning of the prophets who had preceded him, he bestowed upon himself the appellation of the *idiot prophet*. But his genius supplied all deficiencies.

The speeches which his biographers attribute to him, and some passages of the *Alcoran*, prove him to have possessed a clear conception and a natural elocution. The *Alcoran* fixed the Arabic language, and is still regarded in Arabia as an inimitable model of style. Mahomet was accustomed to appeal to it as a matchless piece of eloquence; and endeavoured to deduce from it a proof of the divinity of his mission. He went so far as to assert that it was not within the ability of man, much less of an ignorant individual like himself, to produce such a master-piece of composition; that God alone was capable of the prodigy.\*

Mahomet was not untinged with most of the prejudices of his countrymen. He placed faith in the interpretation of dreams, and was a believer in magic, fancying himself upon one occasion enchanted.

In his conduct, he evidently employed religion as a political expedient to gain his ends. Upon every occasion of his life, he brought forward a communication from heaven; so that the most important crises of his life may be illustrated by the *Alcoran* alone. The Musulmans admit this in pointing out, at each passage, the event which gave occasion to it. He made no scruple of changing or modifying what he had commanded, following no other rule than his interest or his passions. Musulman authors recognize in the *Alcoran* two species of precepts, those which are abrogated, and those which abrogate them. By the former they understand certain regulations which have given place to others; by the latter, those which are still in force. A want of attention to this fact has misled Christian writers, who have taken passages at a venture from the *Alcoran*, into strange mistakes.

One rule Mahomet never failed to observe, namely, to give to all his proceedings a religious character. He was fond of speaking of the ancient prophets, whose successor he professed himself, and of quoting their expressions. Having occasion to send some of his companions on an embassy to certain foreign potentates,

\* With the exception of some splendid passages, the mass of the *Alcoran* is intolerable, except to Musulmans, destitute of order, connexion, and often common sense. It is described by an eloquent and by no means prejudiced writer (Gibbon) as "an endless incoherent rhapsody of fable, precept, and declamation, which seldom excites a sentiment or an idea; which sometimes crawls in the dust and is sometimes lost in the clouds."

tentates, to invite them to embrace Islamism, he mounted a pulpit and addressed them thus: "I expect you will not oppose my wishes, and act towards me as the children of Israel did to Jesus." This kind of language was continually employed by Mahomet, and his companions at length adopted it. His foster-brother, having incurred his animadversion for having presumed to say he was as eloquent as he, and being anxious to obtain his forgiveness, addressed him in the words which the *Alcoran* puts into the mouth of the brothers of the patriarch Joseph, when they came to ask pardon for their barbarity towards him: "It is God himself who hath exalted thee above us; we are but sinners." Mahomet replied in the words of Joseph to his brethren: "Let there be now no reproach between you and me; God pardoneth you, for God is the most merciful of the merciful.\*"

The instances, related by some authors, of the extraordinary degree of enthusiasm with which he inspired his companions, are almost incredible. When he purified himself, his disciples would carry off the water in which he had washed the dirt from his body and drink it with reverence; when he spat, they would swallow the saliva; when he cut his hair, they would carefully gather up the smallest fragment. This was not done merely by the vulgar; the example was set them by the chiefs themselves. During the last pilgrimage to Mecca, the prophet having, according to custom, shaved his head, and the hairs being blown away by the wind, Calcd, the son of Walid, ran after them, and gathering all he could find, kept them ever after in his turban, looking upon them as the surest guarantee of his success. Hence an idolater of Mecca, who had been witness to the glory of the Cæsars of Constantinople, and of the Chosroes of Persia, was led to observe that no king had ever been so much respected, or had enjoyed a like sway.

Apart from his political interests, the conduct of Mahomet was calculated to inspire respect. He always appeared penetrated with the idea of God, referring every thing to virtue and a future life. An idolater of Mecca having offended him, the son of the man, a zealous Musulman, offered to avenge the prophet in the blood of his own father. Mahomet shrunk back with horror, and recalled the unnatural son to feelings less barbarous. Upon all occasions he never failed to inculcate the great principles of morality.

So completely did he succeed in fascinating the mass of his disciples, that they at length believed him to be wholly exempt from sin: his impeccability, notwithstanding those passages in the *Alcoran*, in which he implores pardon for his sins, has almost become a dogma of the Musulman creed.

Miracles in abundance are associated with his memory. According to his votaries, he was created before all things, and the world was made for him alone. Prodiges attended his birth: a brilliant light illuminated the East, the fire of the Magi was extinguished, and a violent earthquake shook the earth. He was miraculously born circumcised; at the very instant of his birth, he raised his eyes to heaven and distinctly articulated: "There is no other God but God; I am the apostle of God." Wherever he appeared, the trees renewed their verdure, the plants blossomed, the very stones saluted him, and angels shaded him with their wings.†

It is imagined that he still lives in the grave, and that whenever the voice of the crier is heard from the mosque summoning the Musulmans to prayers, he raises himself in order to join in them. Lastly, it is pretended that he will be the first who, at the day of judgment, will enter paradise, and that mankind will be saved only through his mediation.

\* *Alcoran*, sur. xii. v. 91 and 92.

† Chronicle of Tabari. Annals of Aboulfeda. Borda.

## SKETCH OF BUDDHISM.\*

Mr. Brian Houghton Hodgson, whilst in Nipal, in the year 1823, with a view of obtaining a correct idea of the Bauddha doctrines, proposed a set of questions to a very intelligent Bauddha of the city of Patan, which he desired him to answer from his books. The questions and answers follow :

Q. How and when was the world created ?

A. According to the Sámhbú Purána, in the beginning all was void (súnya). The first light that was manifest was the word *Aum*; and from this *Aum* the alphabet was produced—called Mahá Varna, the letters of which are the seeds of the universe. In the Guna Kárandá Vyúha it is written, when nothing else was, Sámhbú was; that is the self-existent (Swayambhú); and as he was before all, he is also called Adi Buddha. He wished from one to become many, which desire is denominated Prajnya. Buddha and Prajnya united became Prajnya Upáya, as Siva Sakti, or Brahma Máya. In the instant of conceiving this desire, five forms or beings were produced, called the five Buddhas, whose names are as follows: Vairóchana, Akshóbhya, Ratna-Sambhava, Amitábha, Amógha-Siddha. Each of these Buddhas, again, produced from himself, by means of Dhyán, another being called his Bódhi-Satwa, or son. Vairóchana produced Samant-Bhadra; Akshóbhya, Vajra-Páni; Ratna-Sambhava, Ratna-Páni; Amitábha, Padma-Páni; and Amógha-Siddha, Viswa-Páni.

Of these five Bódhi-Satwas, four are engrossed with the worship of Sámhbú (Swayambhú), and nothing more is known of them than their names; the fifth, Padma-Páni, was engaged, by Sámhbú's command, in creation; and having, by the efficacy of Sámhbú's Dhyán, assumed the virtues of the three Gunas, he created Brahmá, Vishnu, and Mahésa, and delegated to them respectively creation, preservation, and destruction. Accordingly, by Padma-Páni's commands, Brahmá set about creating all things; and the Chatúr-yóni (or oviparous, viviparous, &c.) came into existence by Brahmá. The creation of Brahmá, Vishnu, and Mahésa by Padma-Páni, is confirmed by the sloca, the meaning of which is, "Kamali (Padma-Páni) produced Brahmá for creating, Vishnu for preserving, and Mahésa for destroying." And the creation of Brahmá is six-sorted, viz. Déva, Daitya, Mánusha, &c.; and, for the Dévas, Brahmá made heaven; and for the Daityas, Pátála; and the four remaining kinds he placed between these two regions and upon the earth.

With respect to the mansions (Bhuvanas) of the universe, it is related, that the highest is called Agnishtha Bhuvana; and this is the abode of A'di-Buddha. And below it, according to some accounts, there are ten, and according to others, thirteen Bhuvanas, named, Pramóditá, Vimalá, Prabhákari, Archishmatí, Sudúrjayá, Abhimukhí, Dúrangamá, Achalá, Sádhumatí, Dharmamégha (x), Samant-prabhá, Nirúpamá, Jnyánavatí (xiii). These thirteen Bhuvanas are the work of A'di-Buddha: they are the Bódhi-Satwa Bhuvanas; and whoever is a faithful follower of Buddha will be translated to one of these mansions after death.

Below the thirteen Bódhi-satwa Bhuvanas are eighteen Bhuvanas, called collectively Rúpya Vachara. These are subject to Brahmá, and are named individually: Brahma-káyiká, Brahma-púróhitá, Brahma-prashádyá, Mahá Brahmaná, Paritábhá, Apramánábhá, Abháswará, Parita-subhá, Subhakishná, Anabhraká, Púnya-prasavá, Vrihat-phúlá, Arangi-satwá, Avrihá, Apayá, Sudrishá, Sudarsaná, and Sumúkhá. Pious worshippers of Brahmá shall go to one of these eighteen Bhuvanas after death.

And

\* Abridged from *Transactions of the Royal As. Soc.*, vol. ii. p. 222.

And below the eighteen mansions of Brahmá, are six others subject to Vishnú, called collectively Káma-Vachará, and separately as follows: Chatúr-Mahá-rája-Káyiká, Trayastrinsá, Túshitá, Yamá, Nirmánavatí, Paranirmítá-Vas'avartí. And whosoever worships Vishnu with pure heart shall go to one of these.

And below the six Bhuvanas of Vishnu are the three Bhuvanas of Mahá-déva, called generally A'rúpya-Vachará, and particularly as follows: Abhógá-Nitya-yatnópagá, Vijn'yá-yatnópagá, Akinchanya-yatnópagá; and these are the heavens designed for pious Siva-Márgis. Below the mansions enumerated, are Indra Bhuvana, Yama Bhuvana, Súrya Bhuvana, and Chandra Bhuvana; together with the mansions of the fixed stars, of the planets, and various others, which occupy the space down to the Agni Bhuvana, also called Agni-kúnd. And below Agni-kúnd is Vayu-kúnd; and below Vayu-kúnd is Príthví, or the earth; and on the earth are seven Dwipas, Jambú Dwipa, &c.; and seven Ságaras or seas, and eight Parvatas or mountains, Suméru Parvata, &c. And below Príthví is Jala-kúnd, or the world of waters, and the earth is on the waters as a boat. And below the Jala-kúnd are seven Pátálas, as Dharani, &c.: six of them are the abodes of the Daityas; and the seventh is Naraka, consisting of eight separate abodes: and these eight compose the hell of sinners: and from the eighteen Bhuvanas of Brahmá down to the eight chambers of Naraka, all is the work of Manjúsri. Manjúsri is by the Bauddhas esteemed the great architect, who constructs the mansions of the world by A'di-Buddha's command, as Padma-Páni, by his command, creates all animate things.

Thus Manjúsri is the Visva-Karma of the Bauddhas; and is also the author of the sixty-four Vidyás.

Q. What was the origin of mankind?

A. It is written in the narrative portion of our Tantras, that originally the earth was uninhabited. In those times the inhabitants of Abháswara Bhuvana (which is one of the Bhuvanas of Brahmá) used frequently to visit the earth, and thence speedily to return to Abháswará. It happened at length, that, when a few of these beings, who, though half males and half females, had never yet, from the purity of their minds, conceived the sexual desire, or even noticed their distinction of sex, came, as usual, to the earth, A'di-Buddha suddenly created in them so violent a longing to eat, that they ate some of the earth, which had the taste of almonds, and by eating it they lost their power of flying back to their Bhuvana, and so they remained on the earth. They were now constrained to eat the fruits of the earth for sustenance; and from eating the fruits they conceived the sexual desire, and began to associate together: and from that time, and in that manner, the origin of mankind commenced from the union of the sexes.

When the beings above-mentioned came last from Abháswará, Mahá Samvat was their leader, and he was the first king of the whole earth.

In another Tantra it is written, that A'di-Buddha is the immediate creator of all things in heaven and earth.

With respect to time, we conceive the Sáhya-yuga to be the beginning of time, and the Kali-yuga the end of it: and the duration of the four yugas, the particulars of which are found in the Brahmanical scriptures, have no place in our's: in which it is merely written that there are four yugas; and that in the first, men lived 80,000 years; in the second, 10,000; in the third, 1,000: and the fourth is divided into four periods; in the first of which of which men will live 100 years; in the second, fifty years; in the third, twenty-five years; and in the fourth, when the close of the Kali-yuga is approaching, seven years only;



only; and their stature will be only the height of the thumb; and then all things will be destroyed, and A'di-Buddha alone remain; and this period of four yugas is a Pralaya. A'di-Buddha will then again create the four yugas, and all things else to live in their duration, which when completed, all things will be again destroyed, and thus there will be seventy-one pralayas, or completions of the four yugas, when Mâha Pralaya will arrive. How many revolutions of the four yugas (*i. e.* how many pralayas) have now passed, and how many remain to revolve, is nowhere written.

Q. What is matter, and what spirit?

A. Body, which is called Sarîra and Déha, was produced from the five elements and soul, which is called prâna and jîva, and is a particle of the essence of A'di-Buddha. Body, as created out of the elements, perisheth: soul, as a particle of the divine spirit, perisheth not; body is subject to changes—to be fat and lean, &c.; soul is unchangable. Body is different in all animals; soul is alike in all, whether in man or any other creature. But men have, besides prâna, the faculty of speech, which other animals have not; according to the sloka, of which the meaning is this: “Déha is derived from the five Bhûtas, and Jîva from the Angas of Swayambhû.”

Q. Is matter an independent existence, or derived from God?

A. Body, according to some, depends upon the inhaling and exhaling of the Prâna-Vâyu; and this inhalation and exhalation of the breath is by virtue of the soul (prâna), which virtue, according to some, is derived from God, and according to others, is inherent in itself: there is much diversity of opinion on this subject. Some of the Buddha-mârgis contend that déha (the body) is Swabhâvaka; *i. e.* from the copulation of males and females, new bodies proceed; and they ask who makes the eyes, the flesh, the limbs, &c. of the fœtus in the mother's womb? Swabhâva! And the thorns of the desert, who points them? Swabhâva! And the timidity of the deer kind, and the fury of the ravenous beasts, whence are they? from Swabhâva!

And this is a specimen of their reasoning and proofs, according to a sloka of the Buddha-charita-kâvyâ. Some again say, that déha and sansâra are Aishwarika, *i. e.* produced by Iswara, or A'di-Buddha, according to another sloka.

Some again call the world and the human body Kârmika, *i. e.* that Karma is the cause of this existence of déha and sansâra; and they liken the first déha to a field (kshêtra), and works to a seed. And they relate, that the first body which man received was created solely by A'di-Buddha; and at that time works affected it not: but when man put off his first body, the next body which he received was subject to Karma, or the works of the first body; and so was the next, and all future ones, until he attained the Mûkti and Móksha: and therefore they say, that whoever would be free from transmigration must pay his devotions to Buddha, and consecrate all his worldly goods to Buddha, nor ever after suffer such things to excite his desires. And, in the Buddha-Charita-Kâvyâ it is written, that with respect to these points, Sâkya expressed the following opinion: “Some persons say that Sânsâra is Swabhâvaka, some that it is Kârmikâ, and some that it is Aishwarikâ and A'tmakâ; for myself, I can tell you nothing of these matters. Do you address your meditation to Buddha; and when you have attained Bôdhijnâyâna, you will know the truth yourselves.”

Q. What are the attributes of God?

A. His distinctive attributes are many; one of which is, that he is Panch-jnyânâtmaka, or in his essence are five sorts of jnyâna, possessed by him alone,

alone, and which are as follows: first, *Suvisuddha-Dharma-Dhātāja*; second, *Adarsanāja*; third, *Pratyavékshanāja*; fourth, *Samtāja*; fifth, *Anúshthánaja*. The first created beings, *Vairóchana*, &c., were in number five, owing to these five *jnyānas*; and in each of these five Buddhas is one of the *jnyānas*. Another of A'di-Buddha's attributes is the faculty of individualizing, and multiplying himself, and again individualizing himself at pleasure: another is, possessing the qualities of passion and clemency.

Q. Is the pleasure of God derived from action or repose?

A. There are two modes of considering this subject: first, according to *nirvr̥tti*; and, secondly, according to *pravr̥tti*.

*Nirvr̥tti* is this: to know the world to be a mere semblance, unreal, and an illusion; and to know God to be one: and *Pravr̥tti* is the opposite of this sublime science, and is the practice and notions of ordinary men. Therefore, according to *nirvr̥tti*, A'di-Buddha is the author and creator of all things, without whom nothing can be done; whose care sustains the world and its inhabitants; and the moment he averts his face from them they became annihilated, and nothing remains but Himself. But some persons, who profess *nirvr̥tti*, contend that the world with all it containeth is distinct from A'di-Buddha: yet the wise know this to be an error.

A'di-Buddha, though he comprehends all living things, is yet one. He is the soul, and they are but the limbs and outward members, of this monad. Such is *nirvr̥tti*, which, being deeply studied, is found to be unity; but *pravr̥tti*, which is multiplicity, may be disguised in all things. And in this latter view of *pravr̥tti*, A'di-Buddha may be considered a king, who gives orders; and the five Buddhas, and other divinities of heaven, his ministers, who execute his orders; and we, poor mortals, his subjects, servants, and slaves. In this way the business of the world is distributed among the deities, each having his proper functions; and A'di-Buddha has no concern with it. Thus the five Buddhas give *mukti* and *móksha* to good men: *Brahmá*, by the orders of *Padma-Pāni*, performs the part of creator; *Vishnu*, by the same orders, cherishes all beings; and *Maha Déva*, by the same orders, destroys; *Yama* takes cognizance of sins, and punishes sinners; *Indra* and *Varúna* give rain; and the sun and moon fructify the earth with their rays; and so of the rest.

Q. Who is Buddha? Is he God, or the creator, or a prophet or saint; born of heaven, or of a woman?

A. Buddha means, in Sanscrit, "the wise;" also, "that which is known by wisdom;" and it is one of the names which we give to God, whom we also call A'di-Buddha, because he was before all, and is not created, but is the creator: and the *Pancha Buddhas* were created by him, and are in the heavens. *Sákya*, and the rest of the seven human Buddhas, are earth-born or human. These latter, by the worship of Buddha, arrived at the highest eminence, and attained *Nirvána Pad* (*i. e.* were absorbed into A'di-Buddha). We therefore call them all Buddhas.

Q. What is the reason for Buddha being represented with curled locks?

A. A'di-Buddha was never seen. He is merely light. But in the pictures of *Vairóchana*, and the other Buddhas, we have the curled hair; and since in the limbs and organs we discriminate thirty-two (*lacshanas*) points of beauty, such as expansion of forehead, blackness of the eyes, roundness of the head, elevation of the nose, and archedness of the eye-brows; so also the having curled locks is one of the points of beauty, and there is no other reason for Buddha's being represented with curled locks.

Q. What are the names of the great Buddha? Does the *Néwári* language admit

admit the word "Buddha," or any substitute for it? and what is the Bhótiya name for Buddha?

A. The names of A'di-Buddha are innumerable: Sarvajnya, Sugata, Buddha, Dharma-Rája, Tathágata, Bhágaván, Samant-Bhadra, Mára-jíta, Lókajíta, Jina, Anádinidhána, A'di-Buddha, Nirandhaka, Jnyánaikachakshú, Amala, Jnyána-Múrti, Váchés'wara, Mahá-Vádi, Vádiráta, Vádipúngava, Vádisinha, and Parajátá. Vairochana, and the other five Buddhas, have also many names. Some of Vairochana's are as follows: Mahá-Dípti, Jnyána, Jyótish, Jagat-pravrítti, Mahátéjas, &c.; and so of the other four. Padma-Páni also has many names, as, Padma-Páni, Kamali, Padma-Hasta, Padma-Kara, Kamala-Hasta, Kamalakara, Kamal-Páni, Aryávalókités'wara, Aryávalókés'war, Avló-kites'war, and Lóka-Nátha. Many of the above names are intercommunicable between the several persons to whom they are here appropriated. Buddha is a Sanscrít word, not Névári: the Bhótiya names I do not know; but I have heard they call Sákya Sinha, Sungi Thúba: Sungi meaning the deity, and Thúba his Alaya or Vihár.

Q. In the opinion of the Banras, did God ever make a descent on earth? if so, how often; and what is the Sanscrít and Névári name of each Avatára?

A. According to the scriptures of the Buddharmárgis, neither A'di-Buddha nor any of the Pancha Buddha Dhyáni, ever made a descent; that is to say, they were never conceived in mortal womb; nor had they father or mother; but certain persons of mortal mould have by degrees attained to such excellence of nature, and such Bódhi-jnyána, as to have been gifted with divine wisdom, and to have taught the Bódhi-charya and Buddharmárga; and these were seven, named: Vipasya, Sikhi, Viswa-Bhú, Karkútchand, Kanakamúni, Kásyapa, Sákyá-Sinha.

In the Satya-yuga were three: Vipasya, who was born in Vinúmati Nagar, in the house of Vindúmán Rájá; Sikhi, in U'rna Désa; and Visvabhú, in Anúpamá Désa, in the house of a Kshatriya: in the Trétáyuga, two persons became Buddhas; one Karkútchand, in Kshémávati Nagar, in the house of a Brahman; the other Kanaka Múni, in S'úbhávati Nagar, in the house of a Brahman: and in the Dwapar-yuga, one person named Kásyapa, in Váránasi Nagar, in the house of a Brahman: and in the Kali-yuga, Sákyá, then called Sarvártha Siddha, in the house of Sudhódana Rájá, a Sákyavansi, in the city of Kapálvastú, which is near Gangáságar, became Buddhas. Besides these seven, there are many illustrious persons; but none equal to these. The particular history of these seven, and of other Buddhas, is written in the Lalita Vistara.

Q. How many Avatáras of Buddhas have there been, according to the Lamas?

A. They agree with us in the worship of the seven Buddhas, the difference in our notions being extremely small; but the Lamas go further than this, and contend that themselves are Avatáras. I have heard from my father, that, in his time, there were five Lamas esteemed divine: the names of three of them I have forgotten, but the remaining two are called Shámurpá and Kármapa.

Q. Do the Lamas worship the Avatáras recognized by the Névárs?

A. The Lamas are orthodox Buddharmárgis, and even carry their orthodoxy to a greater extent than we do. Insomuch, that it is said, that Sánkara A'charya, S'iva Márgi, having destroyed the worship of Buddha and the scriptures containing its doctrine in Hindusthan, came to Nipál, where also he effected much mischief; and then proceeded to Bhóte. There he had a conference with the grand Lama. The Lama, who never bathes, and after  
natural

natural evacuations does not use topical ablution, disgusted him to that degree, that he commenced reviling the Lama. The Lama replied, "I keep my inside pure, although my outside be impure; while you carefully purify yourself without, but are filthy within;" and at the same time he drew out his whole entrails and shewed them to Sankara; and then replaced them again. He then demanded an answer of Sankara. Sankara, by virtue of his yóga, ascended into the heavens; the Lama perceiving the shadow of Sankara's body on the ground, fixed a knife in the place of the shadow; Sankara directly fell upon the knife, which pierced his throat and killed him instantly. Such is the legend or tale that prevails, and thus we account for the fact; the Bud-dhamárgi practice of Bhote is purer, and its scriptures more numerous, than ours.

Q. What is the name of your sacred writings, and who is their author?

A. We have nine Puránas, called "the nine Dharmas." A Purána is a narrative or historical work, containing a description of the rites and ceremonies of Buddhism, and the lives of our chief Tathágatas. The first Dharma is called Prajna Pramita, and contains 8,000 slokas. This is a Nyáya Sástra, or work of a scientific character, capable of being understood only by men of science; the second is named Ganda Vyúha, of 12,000 slokas, which contains the history of Súdhana Kúmára, who made sixty-four persons his gurus, from whom he acquired Bódhijnyána; the third, is the Samádhi Rája, of 3,000 slokas, in which the nature and value of japa and tapas are explained; the fourth is the Sancátavár, of 3,000 slokas, in which is written how Rávana, lord of Lancá, having gone to Malayagiri mountain, and there heard the history of the Buddhas from Sákya Sinha, obtained Bódhijnyána. The fifth, which is called Tathágata Guhya, is not to be found in Nípál; the sixth, is the Sat Dharma Pundariká, which contains an account of the method of building a chaitya or Buddha-mandal, and the mode and fruits of worshipping it. (Chaitya is the exclusive name of a temple dedicated to A'di-Buddha or to the Pancha Dhyáni Buddhas, and whatever temple is erected to Sákya, or other Mánushi Buddhas, is called vihár;) the seventh, is the Lalita Vistára, of 7,000 slokas, which contains the history of the several incarnations of Sákya Sinha Bhagaván, and an account of his perfections in virtue and knowledge, with some notices of other Buddhas. The eighth, is the Suvarna Prabhá, containing, in 1,500 slokas, an account of Saraswatí, Lakshmi and Prithví; how they lauded Sákya Sinha Bhagaván; and how he, in return, gave each of them what he desired. The ninth, is the Das'a Bhúmes'wara, of 2,000 slokas, containing an account of the ten Bhuvanas of Buddhá. All these Puránas we received from Sákya Sinha, and esteem them our primitive scriptures, because before the time of Sákya our religion was not reduced to writing, but retained in memory; the disadvantages of which latter method being evident to Sákya, he secured our institutes by writing them. Besides these Puránas, we received Tantras and Dháranis from Sákya Sinha. Tantra is the name of those books in which Mantras and Yantras are written, explanatory of both of which we have very many works. Three of them are famous: first, Máya Jál, of 16,000 slokas; second, Ráli Chakra, of 6,000; third, Sambhu Udaya, of 1,000. The Dháranis were extracted from the Tantras, and are similar in nature to the Gúhya, or mysterious rites, of the Siva-Márgis. A Dháraní is never less than eight slokas, or more than five hundred; in the beginning and middle of which are written the "Vija Mantra," and at the end, the "Thúl Stotra," or the Mahátmya, *i. e.* what desire may be accomplished or what business achieved by the perusal of that Dháraní; such, for example, as obtaining

obtaining children—advantage over an enemy—rain—or merely the approbation of Buddha. There are probably a thousand Dhāraṇīs.

Q. What is the cause of good and evil ?

A. When Padma-Pāṇi, having become Tri-guṇ-A'tmaka, that is, having assumed the form of Satya-guṇ, Rāja-guṇ, and Tama-guṇ, created Brahmā, Viṣṇu, and Mahéś'a; then from Satyaguṇ, arose spontaneously (Swabhāva-ka), punya or virtue, and from Tama-guṇ, pápa or evil, and from Rāja-guṇ, the mean of the two, which is neither all good nor all evil : for these three guṇas are of such a quality, that good acts, mixed acts, and bad acts, necessarily flow from them. Each of these karmas or classes of actions is divided into ten species, so that pápa is of ten kinds; first murder; second, robbery; third, adultery, which are called káya-ka or bodily, *i. e.* derived from Káya; fourth, lying; fifth, secret slander; sixth, reviling; seventh, reporting such words between two persons as excite them to quarrels, and these four pápas are called Váchaka, *i. e.* derived from speech; eighth, coveting another's goods; ninth, malice; and tenth, disbelief of the scriptures and immorality; and these three are called mánasi, *i. e.* derived from manas (the mind). The ten actions opposite to these are good actions: and the ten actions, composed, half and half, of these two sorts, are mixed actions.

Q. What is the motive of your good acts—the love of God—the fear of God—or the desire of prospering in the world ?

A. The primary motive for doing well, and worshipping Buddha, according to the scriptures, is the hope of obtaining Mukti and Móksha, becoming Nirvána, and being freed from transmigrations: these exalted blessings cannot be had without the love of God; therefore they, who make themselves accepted by God, are the true saints, and are rarely found; and between them and Buddha there is no difference, because they will eventually become Buddhas, and will obtain Nirvána Pada, *i. e.* mukti (absorption), and their jyóti will be absorbed into the jyóti of Buddha; and to this degree Sákya and the others of the "Sapta-Buddhas" have arrived; and we call them Buddhas, because, whoever has reached this state is, in our creed, a Buddha. Those persons who do good from the fear of hell, and avoid evil from the desire of prospering in the world, are likewise rarely found, and their degree is much above that of the class of sinners. Their sufferings in Naraka will be therefore lessened; but they will be constrained to suffer several transmigrations and endure pain and pleasure in this world, till they obtain Mukti and Móksha.

Q. Will you answer, in the world to come, to A'di-Buddha for your acts in this world, or to whom will you answer? and what rewards for good, and pains for evil, will you reap in the next world ?

A. How can the wicked arrive at Buddha? Their wicked deeds will hurry them away to Naraka; and the good will, by virtue of their good acts, be transported to the Bhuvanas of Buddha, and will not be there interrogated at all; and those who have sometimes done good and sometimes evil, are destined to a series of births and deaths on earth, and the account of their actions is kept by Yama Rāja.

Q. Do you believe in the metempsychosis ?

A. Yes. For it is written in the Játaka Māla, and also in the Lalita Vistára, that Sákya, after having transmigrated through five hundred and one bodies, obtained Nirvána Pada or Mukti in the last body; but so long as we cannot acquire Mukti, so long we must pass through births and deaths on earth. Some acquire Móksha after the first birth, some after the seventy-seventh, and some after innumerable births. It is nowhere written that Móksha is to be obtained after

after a prescribed number of births; but every man must atone for the sins of each birth by a proportionate number of future births, and when the sins of the body are entirely purified and absolved, he will obtain absorption into A'di Buddha.

Q. What and from whence are the Nēwars, from Hindustan or Bhote? and what is the word Nēwar, the name of a country or a people?

A. The natives of the valley of Nípál are Nēwars. In Sanscrit the country is called Naipála, and the inhabitants Naipáli; and the words Nēwár and Nēwári are vulgarisms arising from the mutation of p to v, and l to r. Thus too the word Bandya, the name of the Buddhámárgí sect (because its followers make bandana, *i. e.* salutation and reverence to the proficients in Bódhi-jñána), is metamorphosed by ignorance into Bánra, a word which has no meaning.

Q. Do the Nēwars follow the doctrine of caste or not?

A. As inhabitants of one country they are one—but in regard to caste, they are diverse.

Q. How many castes are there amongst the Bánras?

A. Bánra, according to the true reading, is Bandya, as explained above. According to our Puránas, whoever has adopted the tenets of Buddha, and has cut off the lock from the crown of his head, of whatever tribe or nation he be, becomes thereby a Bandya. The Bhotiyas, for example, are Bandyas because they follow the tenets of Buddha, and have no lock on their heads. The Bandyas are divided into two classes; those who follow the Váhya-charya, and those who adopt the Abhyantara-charya—words equivalent to the Grihastha ásam and Vairági ásam of the Bráhmanas. The first class is denominated Bhikshu; the second, Vajra A'charya. The Bhikshu cannot marry; but the Vajra A'charya is a family man. The latter is sometimes called, in the vernacular tongue of the Nēwars, Gúbbal, which is not a Sanscrit word. Besides this distinction into monastic and secular orders, the Bandyas are again divided, according to the scriptures, into five classes: first, Arhan; second, Bhikshu; third, Sráwaka; fourth, Chaliaka; fifth, Vajra A'charya. The Arhan is he who is perfect himself, and can give perfection to others; who eats what is offered to him, but never asks for any thing. The Bhikshu, is he who assumes a staff and beggar's dish (kúikshari and pinda pátra), sustains himself by alms, and devotes his attention solely to the contemplation (dhyána) of A'di-Buddha, without ever intermeddling with worldly affairs. The Sráwaka is he who devotes himself to hearing the Buddha scriptures read or reading them to others; these are his sole occupations, and he is sustained by the small presents of his audiences. The Chailaka is he who contents himself with such a portion of clothes (chilaka) as barely suffices to cover his nakedness, rejecting ever thing more as superfluous. The Bhikshu and the Chailaka very nearly resemble each other, and both (and the Arhan also) are bound to practice celibacy. The Vajra A'charya is he who has a wife and children, and devotes himself to the active ministry of Buddhism. Such is the account of the five classes found in the scriptures; but there are no traces of them in Nípál. No one follows the rules of that class to which he nominally belongs. Among the Bhotiyas there are many Bhikshus, who never marry; and the Bhotiya Lamas are properly Arhans. But all the Nípalese Buddhámárgis are married men, who pursue the business of the world, and seldom think of the injunctions of their religion. The Tantras and Dháranís, which ought to be read for their own salvation, they read only for the increase of their stipend and from a greedy desire of money. This division into five classes is

obtaining children—advantage over an enemy—rain—or merely the approbation of Buddha. There are probably a thousand Dhāraṇīs.

Q. What is the cause of good and evil ?

A. When Padma-Pāṇi, having become Tri-gun-A'tmaka, that is, having assumed the form of Satya-gun, Raja-gun, and Tama-gun, created Brahmā, Vishnu, and Mahés'a; then from Satyagun, arose spontaneously (Swabhāvaka), punya or virtue, and from Tama-gun, pápa or evil, and from Raja-gun, the mean of the two, which is neither all good nor all evil : for these three gunas are of such a quality, that good acts, mixed acts, and bad acts, necessarily flow from them. Each of these karmas or classes of actions is divided into ten species, so that pápa is of ten kinds; first murder; second, robbery; third, adultery, which are called káyaka or bodily, *i. e.* derived from Kāya; fourth, lying; fifth, secret slander; sixth, reviling; seventh, reporting such words between two persons as excite them to quarrels, and these four pápas are called Vāchaka, *i. e.* derived from speech; eighth, coveting another's goods; ninth, malice; and tenth, disbelief of the scriptures and immorality; and these three are called mánasi, *i. e.* derived from manas (the mind). The ten actions opposite to these are good actions: and the ten actions, composed, half and half, of these two sorts, are mixed actions.

Q. What is the motive of your good acts—the love of God—the fear of God—or the desire of prospering in the world ?

A. The primary motive for doing well, and worshipping Buddha, according to the scriptures, is the hope of obtaining Mukti and Móksha, becoming Nirvána, and being freed from transmigrations: these exalted blessings cannot be had without the love of God; therefore they, who make themselves accepted by God, are the true saints, and are rarely found; and between them and Buddha there is no difference, because they will eventually become Buddhas, and will obtain Nirvána Pada, *i. e.* mukti (absorption), and their jyóti will be absorbed into the jyóti of Buddha; and to this degree Śákya and the others of the "Sapta-Buddhas" have arrived; and we call them Buddhas, because, whoever has reached this state is, in our creed, a Buddha. Those persons who do good from the fear of hell, and avoid evil from the desire of prospering in the world, are likewise rarely found, and their degree is much above that of the class of sinners. Their sufferings in Naraka will be therefore lessened; but they will be constrained to suffer several transmigrations and endure pain and pleasure in this world, till they obtain Mukti and Móksha.

Q. Will you answer, in the world to come, to A'di-Buddha for your acts in this world, or to whom will you answer? and what rewards for good, and pains for evil, will you reap in the next world ?

A. How can the wicked arrive at Buddha? Their wicked deeds will hurry them away to Naraka; and the good will, by virtue of their good acts, be transported to the Bhuvanas of Buddha, and will not be there interrogated at all; and those who have sometimes done good and sometimes evil, are destined to a series of births and deaths on earth, and the account of their actions is kept by Yama Rāja.

Q. Do you believe in the metempsychosis ?

A. Yes. For it is written in the Játaka Māla, and also in the Lalita Vistára, that Śákya, after having transmigrated through five hundred and one bodies, obtained Nirvána Pada or Mukti in the last body; but so long as we cannot acquire Mukti, so long we must pass through births and deaths on earth. Some acquire Móksha after the first birth, some after the seventy-seventh, and some after innumerable births. It is nowhere written that Móksha is to be obtained after

after a prescribed number of births; but every man must atone for the sins of each birth by a proportionate number of future births, and when the sins of the body are entirely purified and absolved, he will obtain absorption into A'di Buddha.

Q. What and from whence are the Nêwars, from Hindustan or Bhote? and what is the word Nêwar, the name of a country or a people?

A. The natives of the valley of Nipál are Nêwars. In Sanscrit the country is called Naipála, and the inhabitants Naipáli; and the words Nêwár and Nêwári are vulgarisms arising from the mutation of p to v, and l to r. Thus too the word Bandya, the name of the Buddhámárgí sect (because its followers make bandana, *i. e.* salutation and reverence to the proficients in Bódhi-jnána), is metamorphosed by ignorance into Bánra, a word which has no meaning.

Q. Do the Nêwars follow the doctrine of caste or not?

A. As inhabitants of one country they are one—but in regard to caste, they are diverse.

Q. How many castes are there amongst the Bánras?

A. Bánra, according to the true reading, is Bandya, as explained above. According to our Puránas, whoever has adopted the tenets of Buddha, and has cut off the lock from the crown of his head, of whatever tribe or nation he be, becomes thereby a Bandya. The Bhotiyas, for example, are Bandyas because they follow the tenets of Buddha, and have no lock on their heads. The Bandyas are divided into two classes; those who follow the Váhya-charya, and those who adopt the Abhyantara-charya—words equivalent to the Grihastha ásrám and Vairági ásrám of the Bráhmanas. The first class is denominated Bhikshu; the second, Vajra A'charya. The Bhikshu cannot marry; but the Vajra A'charya is a family man. The latter is sometimes called, in the vernacular tongue of the Nêwars, Gúbhial, which is not a Sanscrit word. Besides this distinction into monastic and secular orders, the Bandyas are again divided, according to the scriptures, into five classes: first, Arhan; second, Bhikshu; third, Sráwaka; fourth, Chaliaka; fifth, Vajra A'charya. The Arhan is he who is perfect himself, and can give perfection to others; who eats what is offered to him, but never asks for any thing. The Bhikshu, is he who assumes a staff and beggar's dish (khikshari and pinda pátra), sustains himself by alms, and devotes his attention solely to the contemplation (dhyána) of A'di-Buddha, without ever intermeddling with worldly affairs. The Sráwaka is he who devotes himself to hearing the Buddha scriptures read or reading them to others; these are his sole occupations, and he is sustained by the small presents of his audiences. The Chailaka is he who contents himself with such a portion of clothes (chilaka) as barely suffices to cover his nakedness, rejecting ever thing more as superfluous. The Bhikshu and the Chailaka very nearly resemble each other, and both (and the Arhan also) are bound to practice celibacy. The Vajra A'charya is he who has a wife and children, and devotes himself to the active ministry of Buddhism. Such is the account of the five classes found in the scriptures; but there are no traces of them in Nipál. No one follows the rules of that class to which he nominally belongs. Among the Bhotiyas there are many Bhikshus, who never marry; and the Bhotiya Lamas are properly Arhans. But all the Nípalese Buddhámárgis are married men, who pursue the business of the world, and seldom think of the injunctions of their religion. The Tantras and Dháranis, which ought to be read for their own salvation, they read only for the increase of their stipend and from a greedy desire of money. This division into five classes is



according to the scriptures; but there is a popular division according to Vihárs, and these Vihárs being very numerous, the separate congregations of the Bandyas, have been thus greatly multiplied. In Pátan alone there are fifteen Vihárs. A temple to A'di-Buddha, or to the five Dhyáni-Buddhas, called a Chaitya, is utterly distinct from the Vihár, and of the form of a sheaf of Dhánya. But the temples of Sákya and the other of the "Sapta Buddha-Mánushi," as well as those of other chief saints and leaders of Buddhism, are called Vihárs. The names of the fifteen Vihárs of Pátan are as follows: Tankal-Vihár, Tú-Vihár, Hak-Vihár, Bhú-Vihár, Haran-Varna-Mahá-Vihár, Rudra-Varna-Mahá-Vihár, Bhikshu-Vihár, Sákya-Vihár, Guhya-Vihár, Shí-Vihár, Dhom-Vihár, Un-Vihár, &c. In short, if any Bandya die, and his son erect a temple in his name, such a structure may be called such an one's (after his name) Vihár. With this distinction, however, that a temple to an eminent saint is denominated Mahá-Vihár—one to an ordinary mortal, simply Vihár.

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We subjoin a note of Mr. Hodgson, respecting the concluding answer:

The old Bauddha scriptures enumerate four sorts of Bandyas, named Arhan, Bhikshu, Srávaka and Chailaka, who are correctly described in the text; and from that description it will be seen that there is no essential distinction between them, the Arhan being only segregated from the rest by his superior proficiency in Bódhijnán. Of these the proper institutes of Buddhism, there remains hardly a trace in Nípál. The very names of the Arhan and Chailaka have passed away—the names, and the names only, of the other two exist; and out of the gradual, and now total, disuse of monastic institutes, an exclusive minister of the altar, denominated Vajra A'charya, has derived his name, office, and existence in Nípál, not only without sanction from the Bauddha scriptures, but in direct opposition to their spirit and tendency. Nípál is still covered with Vihárs; but these ample and comfortable abodes have long resounded with the hum of industry and the pleasant voices of women and children. The superior ministry of religion is now solely in the hands of the Bandyas, entitled, Vajra-A'charya in Sanscrit; Gúbhál in Newari: the inferior ministry, such Bhikshus as still follow religion as a lucrative and learned profession, are competent to discharge. And these professions of the Vajra A'charya, and of the Bhikshu, have become by usage hereditary, as have all other avocations and pursuits, whether civil or religious, in Nípál. And as in the modern corrupt Buddhism of Nípál there are exclusive ministers of religion or priests, so are there many Bauddhas who retain the lock on the crown of the head, and are not Bandyas. These improper Bauddhas are called Udás: they never dwell in the Vihárs, look up to the Bandyas with a reverential respect derived from the misapplication of certain ancient tenets, and follow those trades and avocations which are comparatively disreputable (among which is foreign commerce): while the Bandyas, who have abandoned the profession of religion, practise those crafts which are most esteemed:

## AN ADVENTURE AT SHIRAUZ.

NINE or ten years ago, I happened to spend a few weeks in Shirauz. I will not say they were the most agreeable of my life; but assuredly I have passed many less pleasant. Being in some degree clothed with an official character, I enjoyed more freedom than is usually allowed to ordinary travellers; not that Persia is an intolerant or bigotted country,—far from it: boys and raggamuffins will occasionally insult a Feringhee, and even pelt him with stones; but there is not much risk in taking summary vengeance upon the offender's carcass, provided the outrage be real and unprovoked.

Shirauz is (or rather was, for recent visitors tell us that the earthquakes have changed its climate as well as its aspect) a delicious place. At about seven miles from the city, you enter a beautiful valley, emerging from hilly defiles. Fertility smiles around, and perfumes impregnate the air. Within the walls of Shirauz are gardens and fountains, and in the suburbs groves of citron and orange, with vineyards and rivulets, where the indolent voluptuaries of the city repose upon couches of rose-blossoms, as they listen to the enchanting notes of the Persian nightingales, whilst inhaling from the caleoon the fragrant and exhilarating smoke. Such is the influence of the climate, in the more temperate season of the year and of the day, that existence, mere existence, is felt to be a luxury. Shall we then account the Persians a brutified, unintellectual race, because we hear of their resigning themselves sometimes to the gratification which results from the indulgence of bodily languor, as if they were mere sensualists, and incapable of mental effort? Henry Martyn, the celebrated missionary (of whom I shall have more to speak anon), who had many advantages to assist him in forming a right estimate of the Persian character, says: "the people are clever and intelligent, and more calculated to become great and powerful than any of the nations of the East, had they a good government and the Christian religion."

In truth, Persian society, good Persian society, introduces an observant European, qualified by a familiarity with the language and manners, to the knowledge of many characters, which would be admired in the circles of our own country; I mean men of excellent parts, cultivated understandings, and fine taste. I could appeal to the testimony of one individual on this point, who has had abundant opportunities to study the Persians,—I mean Sir John Malcolm: I have heard him speak in the most favourable terms of the better classes in Persia.

Having received an invitation to dine (or rather sup) with a Persian party in the city, I accordingly went, and found a number of guests assembled. The banquet was served in a court, decorated with flowers, *sub dio*. The conversation was varied, grave and gay, chiefly of the latter complexion. Poetry was often the subject; sometimes philosophy, sometimes politics prevailed. Amongst the topics discussed, religion was one. There are so many sects in Persia, especially if we include the free-thinking classes, who dabble in religious subjects by way of amusement merely, that the questions which frequently grow out of such a discussion constitute no trifling resource for conversation. I was called upon, though with perfect good breeding and politeness, to give an account of the tenets of our faith, and I confess I felt myself sometimes embarrassed by the pointed queries of my companions. I soon found that I could best parry their attacks by opposing one of my antagonists against the other. One of the guests, whom I had never before seen, appeared to be a sceptic; he doubted of every thing; he declared he

was

was not convinced that the scene before him was real; he even maintained the probability of the whole of what we suppose is actually cognizable by our senses, being an illusion. Another sportively remarked that there was nothing real but enjoyment; he argued (evidently in jest) that pleasure was the greatest good which human beings could desire; that, therefore, pleasure was the only subject worthy of a man, and his pursuit of it was justifiable, to whatever length it carried him, provided he did not interfere with the pleasure of another, which was the only rule of human conduct. A graver reasoner endeavoured to rebuke both speakers. He dwelt upon the necessity of our being accountable to the Being who made and preserved the world; observed that a sense of religion alone could effectually restrain mankind from the commission of acts inimical to the general good; and quoted many maxims from Saadi and the poets, ending with a passage from the *Pand-nameh*: "if you would escape the flames of hell, purify yourself with the water of piety; if you would walk in the paths of happiness, let the lamp of devotion guide your footsteps!"

Amongst the guests was a person who took but little part in these mock encounters, which seemed to me to be chiefly expedients for the display of wit and repartee. He was a man below the middle age, of a serious countenance and mild deportment. He did not appear to be on terms of intimacy with any but the entertainer. They called him Mahomed Rahem. I thought he frequently observed me with great attention, and watched every word that I uttered, especially when the subject just referred to was discussing. Once I expressed myself with some levity; I fear I was a little corrupted by the example of those around me, many of whom made no scruple of jesting upon points, which ought, in their estimation *at least*, to have been exempt from ridicule. This individual fixed his eyes upon me with so peculiar an expression of surprise, regret, and reproof, that I was struck to the very soul, and felt a strange mysterious wonder who this person could be. He perceived that he had unintentionally excited my suspicion, and consequently avoided my looks; but whenever our glances did meet, each of us was evidently disordered by the collision. I asked privately of one of the party if he knew the person who had so strangely interested me. He told me that he had been educated for a moollah, but had never officiated; that he was a man of considerable learning, and much respected, but was particularly reserved and somewhat eccentric in his habits. He lived retired, and seldom visited even his most intimate friends. My informant added that his only inducement to join the party had been the expectation of meeting an Englishman, as he was extremely attached to the English nation, and had studied our language and learning.

This information mightily increased my curiosity, which I determined to seek an opportunity of gratifying, by conversing with the object of it. But he was by no means so forward as I expected. He acknowledged that he knew a little of the English language, but he preferred expressing himself in Persian. He spoke but little, and rather coldly.

The day after the entertainment, I paid a visit to the person at whose house it had been given, and spoke to him of Mahomed Rahem. He said he was a much esteemed friend of his, and offered, without waiting for my solicitation, to take me to visit him. I suppressed my joy at the offer, and the ensuing morning was fixed for the interview.

Mahomed Rahem resided in the suburbs of Shirauz. My introducer, whose name was Meerza Reeza, informed me that I should be disappointed if I expected to see a splendid mansion. Perhaps, he added, you will be better pleased,

pleased, because you will see many objects which will remind you of your native land.

We reached the house of Mahomed Rahem, who received us with great cordiality, and spoke to me in a manner quite free from that reserve which appeared on the former occasion. I was soon charmed with his agreeable manners and even vivacity; for no appearance of frigidity remained. He was a remarkably cheerful and well-informed man.

Our interview was short; we seemed both to feel that the presence of Meerza Reeza was a restraint upon us. I therefore took my leave, after obtaining permission to repeat my visit. I remarked in the dwelling of Mahomed Rahem a neatness and comfort which are extremely rare in Persian houses generally: even when the proprietor is wealthy and the apartments spacious, there is almost always a grievous absence of what the French term *propreté* in that country. As Meerza Reeza had informed me, I perceived in the furniture of his friend's house several articles of European manufacture not often found in Persia.

A few days after this, I called alone upon Mahomed Rahem. I found him reading a volume of Cowper's poems! The circumstance led to an immediate discussion of the merits of English poetry and European literature in general. I was perfectly astonished at the clear and accurate conceptions he had formed upon these subjects, and at the precision with which he expressed himself in English. We discoursed upon these and congenial topics for nearly two hours; and whether I was interested by the novelty of the occurrence, or by the mystery which still seemed to hang about the individual, I know not, but I never felt less fatigued, or, to speak more correctly, I never enjoyed a literary *tête-à-tête* with more *goût*. Surprized that a man with such refined taste and just reflection as he seemed to be, could still be enthralled in the bondage of Islamism, or could even relish the metaphysical mysticism of the Soofees, I ventured to sound his opinions upon the subject of religion.

"You are a moollah, I am informed."

"No," said he; "I was educated at a Madrussa, but I have never felt an inclination to be one of the priesthood."

"The exposition of your religious volume," I rejoined, "demands a pretty close application to study; before a person can be qualified to teach the doctrines of the *Koran*, I understand he must thoroughly examine and digest volumes of comments, which ascertain the sense of the text and the application of its injunctions. This is a laborious preparation, if a man be disposed conscientiously to fulfil his important functions." As he made no remark, I continued: "our Scriptures are their own expositors; we are solicitous only that they should be read; and although some particular passages are not without difficulties, arising from the inherent obscurity of language, the faults of translation, or the errors of copyists; yet it is our boast that the authority of our Holy Scriptures is confirmed by the perspicuity and simplicity of their style as well as precepts."

I was surprized that he made no reply to these observations. At the hazard of being deemed importunate, I proceeded to panegyryze the leading principles of Christianity, more particularly in respect to their moral and practical character; and happened, amongst other reflections, to suggest that as no other concern was of so much importance to the human race as religion, and as only one faith could be the right, the subject admitted not of being regarded as indifferent, though too many did so regard it.

"Do not you esteem it so?" he asked.

"Certainly

"Certainly not," I replied.

"Then your indifference at the table of our friend Meerza Reeza, when the topic of religion was under consideration, was merely assumed, out of complaisance to Musulmans, I presume?"

I remembered the occasion to which he alluded, and recognized in his countenance the same expression, compounded half of pity, half of surprise, which it then exhibited. I owned that I had acted inconsistently, perhaps incautiously and imprudently; but I made the best defence I could, and disavowed in the most solemn manner any premeditated design to contemn the religion I professed.

"I am heartily glad I was deceived," he said; "for sincerity in religion is our paramount duty. What we are we should never be ashamed of appearing to be."

"Are you a sincere Musulman, then?" I boldly asked.

An internal struggle seemed, for an instant, to agitate his visage: at length he answered, mildly, "no."

"You are not a sceptic or free-thinker?"

"No; indeed I am not."

"What are you then?—Be you sincere.—Are you a Christian?"

"I am," he replied.

I should vainly endeavour to describe the astonishment which seized me at this declaration. I surveyed Mahomed Rahem, at first, with a look which, judging from its reflection from his benign countenance, must have betokened suspicion, or even contempt. The consideration that he could have no motive to deceive me in this disclosure, which was of infinitely greater seriousness to himself than to me, speedily restored me to recollection, and banished every sentiment but joy; I could not refrain from pressing his hand to my heart.

He was not unmoved at this transport; but he betrayed no unmanly emotions. He told me that I had possessed myself of a secret, which, in spite of his opinion that it was the duty of every one to wear his religion openly, he had hitherto concealed, except from a few who participated in his own sentiments.

"And whence came this happy change?" I asked.

"I will tell you that, likewise," he replied. "In the year 1223 (of the Hejra) there came to this city an Englishman, who taught the religion of Christ with a boldness hitherto unparalleled in Persia, in the midst of much scorn and ill-treatment from our moollahs, as well as the rabble. He was a beardless youth, and evidently enfeebled by disease. He dwelt amongst us for more than a year. I was then a decided enemy to infidels, as the Christians are termed by the followers of Mahomet, and I visited this teacher of the despised sect with the declared object of treating him with scorn, and exposing his doctrines to contempt. Although I persevered for some time in this behaviour towards him, I found that every interview not only increased my respect for the individual, but diminished my confidence in the faith in which I was educated. His extreme forbearance towards the violence of his opponents, the calm and yet convincing manner in which he exposed the fallacies and sophistries by which he was assailed, for he spoke Persian excellently, gradually inclined me to listen to his arguments, to inquire dispassionately into the subject of them, and finally to read a tract which he had written in reply to a defence of Islamism by our chief moollahs. Need I detain you longer? The result of my examination, was a conviction that the young dis-

putant

putant was right. Shame, or rather fear, withheld me from avowing this opinion; I even avoided the society of the Christian teacher, though he remained in the city so long. Just before he quitted Shiraz, I could not refrain from paying him a farewell visit. Our conversation,—the memory of it will never fade from the tablet of my mind,—sealed my conversion. He gave me a book—it has ever been my constant companion—the study of it has formed my most delightful occupation—its contents have often consoled me.”

Upon this he put into my hands a copy of the New Testament, in Persian; on one of the blank leaves was written: *There is joy in Heaven over one sinner that repenteth* —HENRY MARTYN.”

Upon looking into the Memoir of Mr. Martyn, by Mr. Sargent, one of the most delightful pieces of biography in our language, I cannot perceive therein any allusion to Mahomed Rahem, unless he be one of the young men (mentioned in p. 350) who came from the college, “full of zeal and logic,” to try him with hard questions. B. B.

## GOVERNMENT OF INDIA.

*To the Editor of the Asiatic Journal.*

When we hear of constant complaints of maladministration in several of the colonial establishments of the mother-country, not one reaches us from India, excepting those of some few editors of newspapers, who, unacquainted with the feelings and peculiar habits of thinking of natives habituated to no form of government beyond the arbitrary, erroneously imagine that the freedom of the British press can with safety be introduced before education, and its concomitant independence of thought have duly prepared the mind to receive as a blessing, what experience has evinced to be, otherwise, a curse.

In the speeches recently made at Liverpool, great lamentations were heard on the hardship of preventing colonization. Those who have resided long in India know that, were that boon granted, the very nature of a climate, hostile to the European constitution, must at all times militate against the possibility of the realization of such an object. As a proof of this, we see the descendants of the Portuguese, who first gained a footing in India, dwindled into the appearance of monkeys. It is a fact every day apparent, that the effects of the climate on the European females is such, that they are under the necessity of relinquishing the country in the course of a dozen years. All this must surely set at rest the question of colonization so prominently brought forward of late. There are a few grievances in the regulations relative to merchant ships, and these ought to be rectified in the next charter. It is loudly, and I fear justly complained of, that education is properly given to writers, cadets of engineers and artillery, while cadets of cavalry and infantry are sent out uninstructed.

The constitution of the Court of Directors may be materially and simply improved by fixing, nearly as now, the numbers of the four descriptions composing it, making an election always in the line in which a casualty or resignation occurred; an efficient measure, calculated at once to save trouble and expense. It is a fact, that elections are at present the work of a certain number of voters in and near London, while the distant proprietors find it inconvenient to attend. By a simple procedure, their votes may be obtained locally, and transmitted to the scrutineers, under an oath of secrecy. These are important objects to be animadverted to in due time.

Yours, &c.

*Summerlands, Feb. 10, 1829.*

JOHN MACDONALD.

## SLAVERY IN MAURITIUS.

WE have devoted a considerable space in this Journal to the subject of slavery in the East, conceiving it to be manifestly worthy of the closest attention in a country possessing a large territory in India, where that institution, so odious in the abstract, prevails to a great extent. A full knowledge of all the forms and relations of the slave-system is indispensable before an attempt be made to interfere with it, *à fortiori*, to put it down, lest remedial measures should but give birth to more serious evils. In our investigation of slavery in Continental India, where the general mildness of the system and the absence of many detestable features which are inherent in the constitution of slavery elsewhere, offer many redeeming considerations, we had ample reasons suggested to us for regarding the condition of society in that country as at present irreconcilable with the total abolition of slavery. Where voluntary surrenders of liberty are so common, it must be obvious, either that slavery is not so hateful and onerous a condition as might be supposed, or that there are causes existing in the social constitution of Hindusthan, which must be removed before that species of relation be abolished, which, however objectionable abstractedly, is chosen and courted by numbers, as a resource against a greater evil.

When we turn, however, from continental and even insular India, where slavery is not aboriginal, we immediately encounter some, if not many, of the traits which characterize West-India slavery—a system which, whatever its apologists may plead in its favour, however it may have been sanctioned and even encouraged by British law, will one day be regarded with the same universal and unmitigated disgust which now accompanies every recollection connected with the once-authorized, defended, and even justified, African slave-trade.

Mauritius is one of the eastern colonies in which the West-Indian system has been introduced. Slaves were forcibly carried from the continent and islands of Africa, and employed in the laborious tillage of sugar plantations. The slavery of this island has, accordingly, attracted a good deal of observation, especially since its admission to a participation of the benefits of the West-India monopoly, from the efforts made, chiefly by the advocates of the Negro claims in this country, to let in light upon its character. There have been various documents presented to Parliament upon the subject of slavery in the Mauritius, with the contents of which we have made our readers acquainted. At the close of the last session, a further set of documents were laid upon the table of the House of Commons, in return to an address to his Majesty in November 1826.\* These documents are not calculated to exalt our opinion of the favourable disposition of the local government towards the unfortunate beings who raise the increasing quantity of sugar which is now imported from the island.

With respect to the number of government slaves, the address sought a return of the number at the conquest of the island (1810), and of their number at the present time. The return gives only the number in 1813 (owing to the confused state of the public documents prior to that date) for comparison with

\* 1. A Return of the number of Government Slaves at the Mauritius on the 1st November 1813 and 1st January 1827. 2. A Return of the Laws in force at the Mauritius, regulating the Punishment of Slaves by their Masters. 3. A Return of Orders made from time to time by the several Authorities at the Mauritius regulating the same. 4. A Statement of the Penalties received at the Mauritius for Offences against the Slave Trade Abolition Laws, or against the Orders in Council for the Registration of Slaves, and how applied. 5. A Statement of the Penalties awarded by the Colonial Courts, in Cases of Contravention of the Slave Registry and Abolition Acts. Ordered by the House of Commons to be printed 10th July 1828.

with the number in 1827. The former is 1,638, the latter 1,342, shewing a decrease of 296.

The return of the laws regulating the punishment of slaves by their masters, comprises the letters patent from the king of France, in the form of edict (from the code of the Isle of France), concerning the Negro slaves of Mauritius and Bourbon, dated December 1723, which consists of fifty-six articles; and the preamble states the object of the edict to be, "for the preservation of the colonies, to establish therein a law and certain rules for the discipline of the Catholic, Apostolic, and Roman church, and for fixing all that concerns the state and condition of the slaves in the said islands." Accordingly, the four first articles provide for the security of the Roman Catholic religion. The others contain a few merciful regulations for the slaves, such as authorizing the Procureur-general to prosecute complaints by slaves against their masters, who do not feed, clothe, and support them; providing for slaves deserted by their masters; forbidding the torture or mutilation of slaves, under pain of death; also forbidding the separate sale of husband, wife, and children (below puberty), and enjoining all holders of slaves to govern them *en bons pères de famille*. But the major part of the regulations are for the security and benefit of the master. Slaves are forbidden to carry large sticks, or, if belonging to different masters, to assemble together, by day or night, on any pretence, under pain of flogging, branding, and, if repeated, death. Slaves can hold no property whatever, nor be witnesses in civil or criminal matters, unless in the absence of whites, but in no case, either for or against their master; and they cannot prosecute, though they may be prosecuted. A slave who strikes master, mistress, or their children, producing contusion or effusion of blood, or on the face, is punishable capitally. Outrages or acts of violence by slaves on free persons are punishable severely, even with death. Fugitive slaves are to be thus treated; for the first offence the slave's ears are to be cut off, and he is to be branded on one shoulder; for the second offence he is to have his hamstrings cut and to be branded on the other shoulder; the third offence is capital. Manumitted slaves harbouring fugitives are liable to a fine, or in default are to be sold as slaves. Slaves are not allowed to be manumitted without a previous decree of the superior or provincial council, who will judge of the motives which influenced the master in manumitting them.

These regulations were confirmed by an ordinance of the local government in September 1767, which modifies some of them and provides more explicitly for the sustenance of slaves, by declaring that the master shall furnish them with two pounds of maize per day, or other food equivalent in quantity and quality, such as rice, manioc, beans, and potatoes; and forbidding the master to force the slaves to eat a certain caustic root injurious to health. Masters are also forbidden to inflict more than thirty lashes without the sanction of the police.

From the *Anti-slavery Reporter*, a publication issued monthly by the Anti-Slavery Society (two numbers of which\* are dedicated almost exclusively to the subject of slavery in the Mauritius), we learn that such was the slave-law in the colony when it surrendered to the British arms, and no modification of it took place, with a single exception, till December 1826, when an ordinance was promulgated by Sir G. L. Cole, which occurs next in the papers before us. The exception referred to increased the difficulty of manumission, by imposing a fine of from 150 to 300 dollars on each act (reduced afterwards by

\* For November 1826 and January 1826.



by Governor Cole to £5); "whereas the permission, under the old law, is expressly ordered to be *sans frais*. Mr. Huskisson, in 1827, annulled this very objectionable tax.

The ordinance of 1826 is limited to two objects only, fixing the weight of the chains which masters are authorized to put upon their slaves; and prohibiting masters from punishing slaves returned to them, after complaining against their master, with a condition not to treat such slaves with resentment. Two circulars are added, addressed to commandants and commissaries of districts, by Sir G. L. Cole, in 1826, which enjoin them to be watchful in preventing the slaves being deprived of their Sunday rest, and especially in enforcing the regulations concerning the nourishment, clothing, and punishment of slaves by their masters. With regard to punishment, one of the circulars declares that the law respecting the limitation to thirty lashes is evaded; and it recommends the commissaries to use their influence with their countrymen to induce them voluntarily to relinquish the practice of flogging females.

The *Anti-Slavery Reporter* makes the following among other severe reflections upon the subject of the Mauritius slave-law :

Lord Bathurst and Sir R. Farquhar appear to us to have much to answer for in what respects the slave population of the Mauritius. They governed that colony together for many years without introducing one solitary regulation for the defence or protection of the slaves, and apparently without a single attempt, on the part of his Lordship, to ascertain their real condition. He never seems to have even required that the laws by which the slaves were governed should be communicated to him, but seems on the contrary to have placed an unlimited confidence in Sir R. Farquhar's vague and delusive statements. And yet we think his Lordship must have known that the very persons composing that gentleman's household, and who stood the highest in his confidence, were deeply interested in upholding the very worst evils of slavery. But not to dwell at present on his Lordship's part in the administration of the affairs of this unhappy island, we will confine ourselves to that of Sir R. Farquhar.

In perusing the papers before us, we were surprised to find, that during the whole period of Sir R. Farquhar's government, extending from the conquest (1810) of the colony to the year 1823, not a single regulation was passed for restraining the oppressions of the master, or protecting the persons and improving the condition of the slaves. And we were the more surprised at this, on recurring to certain passages, both in his speeches in Parliament, and in his communications, at different times, with the Secretary of State. He told Lord Liverpool, indeed, soon after his first arrival, that the slaves in the Mauritius had been decreasing, during the preceding seven years, at the rate of five per cent. per annum.; and he made use of this fact to convince his Lordship of the necessity of continuing to import slaves, as otherwise the island would become a desert. Lord Liverpool, however, regarded this fact in a very different light from the governor; and instead of consenting to force more human beings into this charnel house, seemed rather alarmed by so flagrant a proof of oppression, and requested to know "the state of the laws in respect to the protection of the slaves from the cruelty and oppression of their masters," with a view to secure to them a mild treatment. Soon after this letter was written, Lord Liverpool quitted the colonial office, and was succeeded by Earl Bathurst; and it does not appear that the inquiry thus begun was prosecuted to any clear result, or to any effectual purpose. And the language adopted by Sir Robert Farquhar upon the subject appears to have been well calculated to lull suspicion, and to prevent troublesome investigations; and with Lord Bathurst it succeeded but too completely.

After quoting some extracts from Sir R. Farquhar's correspondence with the Colonial office, the writer proceeds :

And yet, can it be—will it be believed—that the whole of this loud-sounding language is pure mystification; that not one of the series of measures so ostentatiously obtruded

obtruded on the admiring confidence of the Secretary of State, should have been ever promulgated; and that the baronet's entire statement, with all its imposing circumstances, should now wear the air of absolute fabrication? At least, we cannot discover a single trace, in the legislative records of the Mauritius, of these boasted ameliorations of Sir Robert Farquhar; although Lord Bathurst seems to have been satisfied with his specious but groundless generalities without ever calling for the acts themselves. It is difficult to speak with the necessary moderation of conduct such as this—of inaccuracy so unaccountable on the one hand, and of delusion so complete on the other.

But to proceed. On the first of September 1812, Sir R. Farquhar again writes: "I have, ever since my arrival in these colonies, done all in my power to better the condition and alleviate the oppression of the slaves. *The laws are strongly in their favour*; but, with courts of justice constituted as those at present in these colonies are, it is difficult to obtain justice. I shall transmit to your Lordship a statement of the laws in regard to their protection as soon as it can be compiled. At present these laws are diffused amongst a mass of others which form the colonial code."

Can any thing more resemble a course of delusion systematically pursued than this? "The laws" of the colony "are strongly," says Sir Robert, "in favour of the slaves." We have seen what those laws were, and had Sir Robert Farquhar transmitted them to England at the time, the spell which his representations wound around Lord Bathurst, would have been broken. His reason for not transmitting them is as incorrect as the character he gives of them, and could only tend to excuse delay, and thus throw the matter into oblivion. In fact he never did transmit them. They are diffused, he tells us, amongst a mass of other laws, but will be sent as soon as they can be compiled. And yet, now that they are produced, they fill only eleven widely printed folio pages, and consist only of two ordinances. In any case he might surely have transmitted his own enactments, his own "series of measures." These, at least, must have been accessible; nay, they must have been printed and distributed in the island to produce the effect he speaks of. How came they not to be sent over? Was it because they were never framed? Neither they nor even the previous laws of the island appear to have been ever furnished by Sir Robert Farquhar. The latter were first produced in the last session of Parliament. The former have not yet been produced, and there seems ground to believe, never will.

In a subsequent number of the *Anti-Slavery Reporter*, a picture is exhibited of the slavery of the Mauritius, which is calculated to make a person of the least sensibility recoil with disgust and horror. The statements on which this representation is founded are acknowledged to be furnished by private individuals, and therefore (although the publishers incur a heavy responsibility in disclosing them, which is no slight security for their accuracy), we cannot rely upon such unauthenticated details with implicit confidence: indeed, nothing but the most convincing evidence of their truth could force us to believe that the descriptions heretofore given by the local authorities of the island should have been inventions designed to conceal such atrocities as these.

It is painful to confess that there are certain incongruities between the statements of Sir R. Farquhar and the facts recorded in the official documents, which, to a certain extent, justify the allegation of the writer that some deception has been practised upon the home government. For example: in the year 1809, according to an official account rendered to the Colonial Office, by Sir R. Farquhar, upon his assuming the government of Mauritius, the slave population amounted to 60,000. Sir Robert at that time represented that there was such a dearth of labourers in the colony, that unless some means were speedily devised for supplying it with hands, cultivation must be abandoned. In 1812 he repeated the same argument, observing that the annual reports of the preceding seven years showed a yearly diminution in the numbers of the slaves of five per cent., and frankly declaring to Lord Liverpool that

that "without the slave-trade, or some other substitute or remedy, these colonies promise to be shortly annihilated." In 1815, when, according to the ratio of decrease stated by Sir R. Farquhar, the number of slaves must have been reduced to 44,000, a census gave the number 87,352. Now, it is totally impossible to reconcile this fact with the statement of the governor: either 43,000 slaves must have been imported into the colony, in contravention of the slave-laws, or the numbers and the decrease of the slave population, stated so short a time previously, as an urgent and unanswerable argument for tolerating slave-importation, must have been false.

Although we forbear to detail fully the statements in the *Anti-Slavery Reporter* respecting the treatment of slaves in the Mauritius; yet a cursory sketch of the principal allegations may not be improper in this place. By provoking public attention to them they may be refuted, or if irrefutable, publicity will impose upon his Majesty's government the unavoidable obligation of doing away so flagrant a reproach upon the national character.

The first point adverted to is the mortality exhibited in the slave population of this colony, the climate of which would appear, from the returns of the free black and coloured classes, to be favourable to the African constitution. On the Bel Ombre estate, belonging to Mr. Telfair, the private secretary of Sir Robt. Farquhar, and which was highly extolled by the latter in the House of Commons as one of the best regulated estates in the island, the mortality is about seven times greater than among the free blacks. The reporter asks, if this was the mortality on one of the best regulated estates, what must it have been throughout the island; and what must have been the continued extent of importations indispensably required to maintain a population numerically almost undiminished?

The treatment of the slaves on the Bel Ombre estate (in the years 1820 and 1821) is described as follows:

Over night his food was usually delivered out to each slave for the following day.\* It commonly consisted of three pieces of baked manioc (cassada) of the size and appearance of muffins, and which in the Mauritius go by the name of "manioc cakes." This food is described not only as unpalatable, and also unsatisfying in its nature, but as extremely insufficient in quantity, more especially when the continuity and intensity of the labour exacted from the slaves is considered; the day's allowance being often barely enough for a single good meal. It was prepared beforehand in order to save the time which it would require to prepare it if it were given to the slaves in its raw state, and because it became less necessary to allow them a cessation of labour in order to their eating it. It might be eaten while they continued at work. This wretched and scanty aliment was eked out by drinking large quantities of water, which distended their stomachs; and by eagerly devouring, at the risk of punishment, every species of disgusting offal and carrion which came in their way, and it was considered as the fruitful source, combined with their hard labour, of those dysenteries which were constantly sweeping so many of them into a premature grave.

The daily labour exacted from them extended to from sixteen to nineteen hours in the day, even out of crop. No time was allowed them for breakfast, the eating of a manioc cake requiring no respite from work. For dinner the slaves had nominally two hours allowed them, but in this time they had to cut a bundle of grass or wood for the master, which, on leaving off work at night, they had to deliver at his house. This wood or grass was frequently difficult to be obtained, and a large proportion of the two hours was, therefore, often spent in obtaining it, so that the period of repose was liable to be abridged by half an hour, or even an hour or more.

On

\* It was sometimes given out for several days; and sometimes a few watery potatoes of the island were substituted, which were still less nourishing.

On most estates the slaves were summoned to their work, in the morning, by the cracking of the drivers' whips, but on some of the larger estates they were previously roused by a great bell. On Bel Ombre estate the bell was generally rung at three in the morning, sometimes earlier, but seldom later; and they continued to work, without any interval for breakfast, and with only the interval already described for dinner, until so late in the evening as eight o'clock, and, on light nights, even an hour or two later.

While the slaves were at work, they were followed by drivers, and were continually receiving blows and lashes, and were even occasionally taken out from the line and punished with twenty or thirty lashes, and then sent back to work. But these occasional inflictions were scarcely regarded in the light of punishment, but merely of discipline. The regular punishments were reserved, on Bel Ombre (a practice, however, differing from that of many other estates) for Sunday, a day which, there, never failed to be ushered in with severe floggings. The offenders of the week were reserved in chains (in which they were made to work) for that day; and they were often numerous, generally about thirty, and amounting, on one occasion, to about fifty.

The floggings are represented as dreadful. The instrument was either a whip or rattan, split at the end, and forming a powerful cat of two or three tails. "Either instrument would make incisions into the flesh, and lacerate it at every blow; and the sharp edge of the split rattan would sometimes divide the flesh like a knife. Military floggings, numbers of soldiers testified, were *nothing* to these. The whip was sometimes a very ponderous instrument; one was seen on Bel Ombre weighing upwards of seven pounds." Females were flogged as well as males (which statement is confirmed by Governor Cole himself), and even children; and in practice the number of lashes inflicted on offenders was limited only by the discretion of the master or manager (also confirmed by Sir L. Cole); seldom less than *fifty*, and often a *hundred and more* were given; the lacerated mass of flesh was sometimes rubbed with lime juice, or salt and pepper!

As to clothing, the field slaves in general had very little, the men none beyond a band round the waist, and the women very little more, except what they sometimes obtained by prostitution; the drivers and headmen alone formed an exception. They had no bedding, not even a mat given them, much less a rug or a blanket, to repose upon at night. They commonly lay down to sleep on the bare and often wet ground. Their huts were usually of the meanest and most miserable description, pervious to the weather, and so small as scarcely to afford space for the seven or eight human beings, who were frequently crowded into each, to extend themselves at full length on the floor.

The reporter adds that "the slaves were generally excluded from all moral or religious instruction; and to teach plantation slaves to read was almost unexampled. Indeed, this might be said of the whole slave population."

He next adduces specific instances of cruelty, observing that his informants have expressed their readiness to appear as witnesses of their truth, whenever called upon. We subjoin one example of two young women punished, on the Bel Ombre estate, for running away:

They were both advanced in their pregnancy, and were both ordered to receive the same punishment, although one of them had been a fugitive only for one month, and the other had been two years in the woods. The former intreated that her punishment might be delayed, at least till she was delivered, that her child might not suffer as well as herself. The overseer said, that as she was so knowing as to make such a request, she should be made to suffer the more on that account. The punishment of this unhappy girl then began, and our informant was resolved to see the end of it; but after 160 lashes had been inflicted, the shrieks of the sufferer became so piercing, that it was impossible any longer to endure the spectacle. On returning, however, some time after to the spot, our informant learnt that both this and the other girl had gone through the whole

whole of the punishment assigned them. They had afterwards collars with projecting spikes fastened round their necks, these collars being attached to each other by an iron chain.

Another person speaks of a flogging on a certain plantation, in July 1820, which was followed by the death of the slaves (there were two) in the hospital a day or two after.

In order to shew that these occurrences, if made known to the local authorities at the time, would have led to no beneficial results as respected the slaves, he adduces several examples from the official records of the colony, wherein informations, at the instance of the slaves, by the procureur-general, for cruelty exercised towards them by their owners, were rejected and the slaves remitted back to their indignant masters, who were *charged* to treat them *en pères de famille*! "We have heard," says the writer, "of only one case wherein the perpetrator of the cruelty met with the fate he merited. Just before the alarm caused by the approach of the royal commissioners had reached its height, a white man named Maurice Prevost, a tanner, cruelly murdered a female slave of his.\* This occasion of gaining credit with the commissioners and in England was eagerly seized. The man was tried and executed. This single exception from the common course of proceeding, it was doubtless hoped, being recent, would shed a kind of lustre over the judicial administration of the colony, would throw into the shade all former delinquencies, and fully establish its character for humanity and justice."

We forbear quoting further instances of what are termed "atrocities in the Mauritius," and from adding to our pages the testimonies gleaned by the *Reporter* from upwards of three hundred letters from private individuals respecting the wretched and degraded state of these poor slaves. If the representations be true,—and who can believe them to be all false or forged?—it would have been happy had the real state of the slave-system in the Mauritius been known to the government before this single spot in our Eastern possessions had been the object of legislative bounty, of which the slaves are less likely to be the recipients than the victims. It would seem from the concluding passage of the article in the *Reporter* that the colonial department is not ignorant of some of these facts:

But how has it come to pass it may be fairly asked, that this case should not have obtained publicity at an earlier period, and that no adequate means should have been hitherto adopted for drawing the attention of Parliament to a state of things so flagrant and outrageous? We shall abstain, for the present, from entering at length on a reply to this reasonable inquiry, but it may probably form, in no long time, the subject of grave discussion. Our readers will remember, that in 1826, an attempt was made by Mr. Buxton, to lay bare this evil in all its bearings and dimensions, which led to the appointment of a committee of the House of Commons for investigating the matter. The committee, however, had scarcely entered on its labours when Parliament was prorogued; and it has not since been renewed, partly through the frequent changes in his Majesty's Government, and their unwillingness to enter upon it, but chiefly, perhaps, through the severe illness which prevented Mr. Buxton from carrying his purposes on the subject into effect.

It seems, however, impossible to permit the Parliament and the public to continue longer in ignorance of this frightful case. We have therefore given an outline, and nothing more than an outline, of its general nature; and feeble as is our representation of its enormities, and inadequate as we feel ourselves to be to do full justice to the subject, and especially to the claims of the unhappy victims of our supineness and neglect,

\* We omit the details as too disgusting for repetition.—Ed.

lect, we yet trust that such a case will not be suffered to drop into oblivion, or after having excited a few passing expressions of regret or indignation, to remain, like too many similar expositions, without investigation or remedy.

It seems especially to belong to those who have administered the government of the Mauritius at home, as well as abroad, to shew that they are guiltless in this matter. Much of the information we have now brought forward has been long in the possession of the Colonial Department, and attention has been frequently called to it. It will doubtless be made to appear, what steps have been taken to remedy the evils complained of.—If we were only to look to the tone of our diplomatic communications with France and other powers, on the subject of their slave trade, we ought to feel it incumbent upon us to prove that we have neglected no means in our own power, in consistency with our urgent admonitions and remonstrances to them, and our own high professions of attachment to the interests of humanity and justice, of setting before them a practical example of efficient and well-directed zeal.

We give a summary of the contents of the other returns in a few words: they deserve notice as illustrative of the subject just treated of.

The amount of the penalties received at the Registry of the Vice Admiralty Court of Mauritius, for offences against the Abolition Acts, or against the orders in council for the registration of slaves, is Drs. 3,320, or about £800. The cases are three only; they occurred in the years 1816 and 1819. There is a statement of the penalties decreed, since the 1st January 1811, by the Colonial Court of Appeal, for contraventions of these acts and orders; but a letter from Sir Robert Barclay, the collector of the internal revenue, states that the fines were never paid. One of these cases, the only one of any moment, deserves some remark.

Louis Suzor, master of the schooner *Aglæe*, John Salmon (an Englishman), owner and freighter of the vessel, as well as the mate and crew, were convicted, on the 20th January 1815, of having exported from the coast of Africa 160 negroes. The criminal tribunal condemned the vessel, confiscated the blacks, and sentenced Salmon, Suzor, and the mate, Lavoquer, to pay £100 for each of the 160 slaves found on board. Salmon, the owner, escaped; Suzor was taken. The grand judge represented to the governor (Sir Robert Farquhar), on behalf of Suzor, that he never attempted to evade punishment, having declared from the first that he was aware of the ruin that awaited him in consequence of his violation of the law; that he was the father of a young family dependent upon him for support; that this was the first time he had been engaged in the trade, and that he was wholly unable to pay the penalties. Suzor was, in consequence of this representation, released on the 14th February, within a month after his conviction, and five days only after the sentence had been confirmed by the Court of Appeal.

Salmon, the owner, is stated to have been, at the time of the transaction, in a place of trust near the judicial assessor!

## SCIENTIFIC EXPEDITION TO EGYPT.

THE expedition of M. Champollion and his colleagues to Egypt is one of the most interesting events to science which has occurred in recent times. The inexhaustible and multiform literary relics, which enrich that classical country, are worthy of being explored by a body of scholars invested, as M. Champollion's party is, with a commission from one of the sovereigns of Europe. The assiduity with which the study of Egyptian antiquities has of late years been prosecuted in France, pointed out that as the country from which the expedition should be sent, and the individual, who has conferred such *collat* upon the discoveries in hieroglyphics, was properly fixed upon to conduct it.

Several communications from M. Champollion to the French minister and to his friends, have appeared in the Paris papers; they contain particulars of some discoveries, or pretended discoveries, in hieroglyphical inscriptions. We confess that so many wonderful events of this kind have been announced by this indefatigable archæologist, of which no more has been heard, that we are a little sceptical as to the perfect accuracy of these statements. Some years ago, a papyrus, in the Phœnician tongue was found by M. Champollion; papyri in the time of monarchs coeval, or nearly so, with Moses, have been repeatedly met with; and the name of Sesostris, hitherto almost a fabulous personage, seems to be so common in the papyri which fall in the way of the French *savan*, that a chronological series of documents might, we apprehend, be formed to illustrate the history of his reign.

To be more serious: although we have been curious in searching for the results of this interesting expedition, as far as they have been disclosed to the public, our distrust has withheld us from adopting implicitly those divulged in M. Champollion's letters. At some future period, we trust, the labours of this distinguished *litteratus* and his learned colleagues in Egypt will be given to the world in a consolidated shape.

In the meantime, some letters have appeared in the Paris periodical work, called *Le Globe*, written by M. Charles Lenormant, a young archæologist of great promise, attached, as inspector, to the department of the fine arts, in the King's household, and who, in order to facilitate his antiquarian studies, joined the Egyptian expedition. These letters are written in an unaffected style, free from *charlatanerie*, and with some sprightliness. Application to hieroglyphics does not seem to have given any obliquity to the writer's observations; the novelty of the scenes he witnessed appears to have struck his mind in a natural way, and he writes under the influence of immediate impressions. We propose to epitomize these letters, in order to shew the progress of the French commission.

The expedition arrived at Alexandria on the 18th August 1828. They found that owing to the *embarras* concerning the evacuation of the Morea, there had been some apprehension that the French *litterati* would not have been well received in Egypt; and M. Drovetti, the consul of France, had written to M. Champollion, by desire of the viceroy, to defer his visit till the ensuing year. The letter had passed M. Champollion on his way to Alexandria, and the arrival of his countrymen caused some uneasiness to M. Drovetti, till the Pacha said, "they are heartily welcome."

M. Lenormant's description of Alexandria is curious:

To describe to you the strange aspect and singular confusion of this city, would

be impossible; when we speak of a place like Alexandria we must create new terms, for those in ordinary use can furnish but a false idea, bearing no relation to truth. The term city, as we understand it, supposes streets, pavement, houses, a mayor and *gens d'armes*; here you perceive nothing of the sort, people seem to have been congregated upon this tongue of sand just as nature willed and permitted. And what people! what a mixture of races, altogether new to the eye of Europeans! Here we observe the Turk, with his flowing robe and grave demeanour; there a Jew, as handsome as Joseph or as wrinkled as Caaphas; on one side the luxurious Armenian, on the other the wild Bedouin, enveloped in his picturesque long white drapery, mounted on his dromedary; the blue skirt of the Arab is seen in contrast with the European coat, the red uniform of the troops of Ibrahim with the blue jacket of our sailors; here appears a grand officer covered with gold, preceded by slaves bearing torches; there a troop of pale women and naked children exhibiting a picture of utter misery, this motley assembly crowding about half-built houses, along tortuous paths, with an agitation, motion, and jargon, in comparison with which Naples itself would be a Thebais. This is a picture of Alexandria in its genuine state of confusion, combining the sublime and the burlesque; add to this, that we saw all these things at nightfall, as it were through a phantasmagoric prism.

In describing the obelisks, called Cleopatra's Needles, the writer observes that they offered to M. Champollion "several singular facts which had never been before noticed." M. Champollion tells us, in one of his letters, that they were originally erected by King Mæris, in front of the great temple of the sun, at Heliopolis; and that the lateral inscriptions were placed there by Sesostris, and two other short ones on the face by the successor of Sesostris. "Thus," he remarks, "three epochs are marked upon these monuments."

In the course of his perambulations, M. Lénormant met with traces of the expedition under Buonaparte in this country: on his journey to the obelisks, he met a blind man of the country, who addressed him in French—"Donne moi quelque chose, citoyen; je n'ai pas encore déjeuné ce matin."

He remarks the correspondence of modern and ancient manners in respect to the baths, where he experienced all that had been read of as practised by the ancients. "You would have laughed to see me stretched upon a plank, as if I were crucified, in a place heated to 40° of Reaumur, under the hands of an Arab, who rubbed and soaped me as if I had been a shirt; then, being enveloped in Persian shawls, with a turban on my head, I was seated upon a divan, whilst slaves brought me sherbet of dates, pipe, and coffee." The visit to the Pacha we have already given in the words of M. Champollion.\*

The mission quitted Alexandria for Cairo on the 14th September. Previous to departing, M. Champollion paid a visit to the Pacha. In the course of conversation, he communicated to him the curious discovery he had made respecting the two obelisks, which seemed to interest him extremely; a very unusual thing. The pacha appeared to M. Lénormant to more advantage on this than on the preceding occasion, when he was under the influence of some disagreeable emotions arising from political causes.

The journey on the Nile from Alexandria towards Cairo he describes as uninteresting. The country is mostly flat and sandy. Such a prospect in the north, he observes, would be appalling, especially during rain and cold. "But under the delightful sky of Egypt, nature incessantly effaces even the wrongs of humanity, and repairs, by its own beneficent power alone, all the evils occasioned by improvidence and misery. Nothing can prevent the poor Fellah from increasing in all the vigour of a happy race, developing his form under the



the influence of a genial atmosphere, and opening his heart to all the pleasing impressions with which the air is, as it were, impregnated. Nothing can hinder the formation here of a poetical race, alive to the beauty of the human form, to the power of rhythm and sounds, and in fact enjoying the complete organization which appertains only to the people of the south. Even the villages, built of baked clay, bear, by some secret influence, a noble and graceful aspect, and are strikingly associated with the most beautiful monuments of antiquity."

They landed and visited the ruins of the ancient city of Saïs, the fourth in rank under the Pharaohs, and the name of which is preserved in that of the adjoining village, *Sa-el-haggier*, or "Saïs of the Stone." It contains not a single monument entire; but the fragments are numerous and vast, especially those of the necropolis. A little enamelled earthen figure of a Neith, or Minerva, the chief goddess of Saïs, was discovered by M. Champollion. We refer the reader to a more full explanation of the discoveries in this place in the letter of this gentleman already given.\* It also contains a description of Cairo; but we cannot help adding the following naïve remarks from M. Lenormant :

In the bazars, in the merchant-streets, a passenger must proceed with great caution, and always at the risk of being knocked down by the dromedaries, or of cutting his knees by the sharp edge of the stirrups. The houses, mostly built of handsome stone, are frequently of great height; and as they meet at top, and tents or mats are besides stretched to keep out the sun, the streets are remarkably cool. The enormous mosques are very striking and peculiar objects; you pass near them without observing any thing but sharp minarets and party-coloured walls; you can form no other idea of the aggregate, or of any regular plan. I have often felt these buildings, of the middle age especially, produce more effect upon the mind when seen near and in the most confined space, than in those large areas, which the moderns imperiously demand; and Cairo has renewed this feeling in me. No city was perhaps ever decorated with more magnificence than Cairo, whilst under its own sovereigns; the taste displayed in its edifices is, in every respect, as remarkable as that of any other people civilized by the arts. I have been enabled here to appreciate, for the first time, at their true value, the works of the Arabs in their best periods, and the station which they ought to hold in the great history of the arts: and truly I was astonished. What belonged to the third and fourth centuries of the Hegira struck me especially by a character of grandeur and simplicity, of which nothing which is commonly presented to us as specimens of Arab architecture, affords any idea. It would appear as if the vicinity of the great monuments of Egypt had inspired their artists: it is certain, at least, that at the date when the great mosque of Tulocca and the gate of victory, the two finest edifices in Cairo, were erected, the wonderful structures of Memphis still subsisted entire.

They quitted Cairo, to the regret of M. Lenormant, on the 30th of September. At the quarries of Gebel Turrah, whence the materials were taken for building Memphis, some discoveries were made. M. Champollion's account is as follows. He says: "I found an inscription in the month Paophi, of the fourth year of Augustus; one of the seventh year, same month, of a Ptolemy, who must have been Ptolemy Soter, as there is no surname; and another of the second year of King Acoris, one of the insurgents against the Persians. I also discovered that two of the quarries had been opened in the 22d year of King Amosia, the father of the 18th dynasty, as it is textually recorded in two fine medallions, sculptured in the rock, by the side of the two entrances." M. Lenormant says: "We crossed a desert plain towards the perforated sides of Gebel

\* See p. 78.

Gebel Tutrah, where our examination began with the discovery of an inscription truly valuable, which proved that 1900 years before Christ, the temples of Memphis were repaired. I am amazed to observe that the Egyptian stone-cutters were not less facetious than their brethren in antiquity, the soldiers of Pompeii. I took a sketch of a most comical representation of a charge of a lion, perhaps 4000 years old."

The approach to Memphis he thus describes:—"A long forest of palm-trees, intermixed with villages, which are not seen till very near, occupies nearly the whole extent of this great city. Proceeding through this forest, we perceived the ground strewn with fragments of granite, basalt, &c. At a short distance, we found, near the village of Mit-Rahneh, a statue of the great Sesostris, its nose to the earth, thirty feet high, formed of a single stone, and admirably sculptured." M. Champollion gives the following account of this statue:—

Between Bedrechin and Mit-Rahneh, there are two long ranges of parallel hills, which appeared to me formed by the wrecks of an immense enclosure, constructed of unglazed bricks, like that of Saïs, and formerly containing the principal sacred edifices of Memphis. It was in the interior of this enclosure that we found the enormous colossus exhumed by Mr. Caviglia. I was anxious to examine this monument, of which I had heard many accounts, and I own I was agreeably surprised at recognizing a magnificent piece of Egyptian sculpture. This colossus, though wanting a portion of its legs, is not less than thirty-four feet six inches in length! Having fallen forward on the ground, the face is perfectly intact, and its features at once showed me that it was a statue of Sesostris, for they present, in gigantic proportion, a most faithful resemblance of the fine Sesostris at Turin. The inscriptions on the arms, the breast, and the waist have confirmed this impression, and leave no doubt that there exist at Turin and at Memphis two portraits of the greatest of the Pharaohs.

M. Champollion's description of Memphis forms a sad contrast with the ideas we form of this once magnificent city:—"The whole forms a horrible desert, rough with irregular mounds, produced by excavations and ruins, and strewn with human bones, the remains of ancient generations. In a tomb I found a series of Egyptian birds admirably sculptured on the sides, with their names in hieroglyphics: five different kinds of gazelles, with their names; and some domestic scenes, such as the milking of a cow, and two cooks preparing a repast."

M. Lenormant tells us, that the head of the great sphynx is the portrait of king Thoutmosis XVIII, who lived about 1700 years before Christ. He adds: "Not long ago, one Caviglia caused the earth around the sphynx to be dug, and discovered between the paws a grand monolithic temple, with four lions, and an inscription containing the date. Like a true Vandal, he sold one of the lions to the English, and covered up again the rest."

After a visit to the pyramids of Sakkara, he proceeded to Hermopolis, now Ashmounein, considered as the capital of middle Egypt. The tombs here are more curious than at Sakkara; they belong entirely to the military order, the remains of which are more rare than those of the sacerdotal class. Here were seen representations of battles, gymnastic games, sieges, the chase of wild animals, instead of the peaceable occupations, to which the Egyptian priests were supposed to addict themselves in the next world. There were, moreover, representations, in basso-relievos, or paintings, of the whole process of agriculture; of trades, from the cobbler to the mason; of professions, from the judge to the physician; sports, including contests upon the water, hunting, fishing, &c.; so that, with a little attention, by following up the work which Champollion has begun, it will be practicable to determine accurately, and without consulting

consulting books, even to the minutest details, the manners, customs, arts, and trades of a people who lived 3000 years ago." Although these remains, he says, are not remarkable as specimens of art, some of them, particularly the animals, are pretty. He adds the following remark:—

I found here, inscribed with a certain date of 1300 years before Christ, some fluted columns which I could have believed had been erected at Pæstum or Agrigentum. It is an opinion I have before expressed, that here was the origin of the Doric order, but I never expected to find so striking a demonstration. What is truly singular, these columns, so long anterior to the oldest monuments of Greece, belonging, nevertheless, to a period when the Egyptian art had passed from the grand and severe to the graceful and pretty, do not possess that appearance of solemnity which is perceived at Pæstum and at Selinunta. Thus the Greeks, in borrowing from a people who had passed through all the periods of the progress of the arts, were not the less obliged, as a new people, to recommence that progress; and the nature of their copies *modi fies* in no respect this law, which I regard as universal.

In the course of his investigations of the country in the neighbourhood of Ashmounein, M. Lenormant made a curious discovery, which we shall give in his own words:

A number of small chambers were cut in the walls of a ravine. Some gates architecturally ornamented, made my heart beat with hope. I first entered a tomb, the paintings of which were unfortunately defaced; then a suite of apartments, where I recognized upon the door the *cartouche* (scroll) of Alexander, but without at first perceiving its design. At length I reached a façade of eight massive pillars in two rows, and the large religious bas-reliefs upon the wall immediately convinced me that it was a subterraneous temple dedicated to Bubastis—the goddess of cats—by King Mundoueh, one of the ancestors of Sesostris. Bubastis, among the Greeks, was the same as Diana, and the place adjacent to this temple is denominated, in the itineraries, the grottos of Diana. Moreover, the Egyptian name of this spot, which is found in the inscriptions of the temple, was Abenni, whence it follows that the modern name of Beni-Hassan, in spite of its Arabic complexion, is, like most others in Egypt, merely the corruption of an ancient Egyptian name. The next day I learnt from the *caïmacan* of Beni-Hassan that a number of mummies of cats were to be found in the environs: this was a fresh motive for me to take the field again. The *caïmacan* conducted me first, to my great astonishment, into the midst of the plain of sand which separates the hill from the mountain, and instead of a sort of museum, where I expected to have found the cats regularly arranged, he pointed out to me a large aperture in a tunnel, from which the bones of cats might be scratched with the hands. Proceeding then towards the mountain, I discovered that though I had taken a different route from that on the preceding evening, yet I was nevertheless proceeding in the direction of the temple. Indeed I soon reached the door decorated with the *cartouche* of Alexander. There our men began to rake off the earth and draw forth cats. They were wrapped up by dozens in pieces of linen, properly embalmed, though much reduced, and delicately laid upon matted beds. The dogs were not less numerous than the cats. I even saw several of that beautiful species of greyhound, the representation of which I had so greatly admired in the most important of the tombs of Beni-Hassan. Going at length, with a light, through the suite of chambers, the particular appropriation of which I was unable to understand the night before, I perceived the ground strewn with a vast quantity of the bones of cats, and I concluded it to be the cemetery of cats of superior rank. I picked up, besides, a bone, which the naturalist of the Tuscan expedition judged to be of a lion or tiger. Now Bubastis, whose temple is adjoining, well known as the goddess of cats, is represented, in her temple, and upon the door of the hypogeum, which I described, with the head of a lioness or tigress. Whence it follows, that from a sentiment conformable to the true data of science, the ancient Egyptians had confounded all the animals of the feline race. I then perceived that the wells which I first found in the plain, were used for the purpose of

of steeping the more ordinary animals previously, in order that they should occupy less room in the inferior burial place, at the foot of the aristocratical Maemonium.

M. Lenormant gives a lamentable account of the dilapidations of the ancient cities of Egypt. Antinoë, he says, is razed to the ground; Antæopolis and Elephantina are destroyed to make lime; Luxor has been sold to a manufacturer of saltpetre. The theatre, the two grand streets, and the triumphal arch at Antinoë, have all disappeared. The colossal portico at Hermopolis has been converted into canal gates, and a sugar-refinery. Our traveller mentions, however, as a consolatory fact, that on the right bank of the Nile there exists, in an entire state, a Pharaonic city, with all its streets, houses, and edifices. "Like others throughout ancient and modern Egypt, it is built on a uniform plan, with bricks merely dried in the sun: but the antiquity of them is ascertained by their size, and the more or less careful shape of each. With a material so fragile, the Egyptians, owing to their favourable climate, have constructed vast and indestructible monuments, such as the sacred enclosure at Saïs, which we had previously seen. It is the same at Psinaulta (the ancient name of the Egyptian Pompeii), which is an enclosure of bricks, containing a temple now wholly destroyed. What is very curious, and which I observed with deep antiquarian emotion, was the remains of the internal decoration of several of the houses, and particularly the traces of paintings around several of the apartments, as fresh as if done yesterday. The walls of dried bricks have been destroyed by the Arabs, but these paintings, though the colours are thinly laid, have lasted to the present day."

Of the climate of Egypt M. Lenormant speaks very favourably. The individuals composing the expedition are all in excellent health. The weather had been beautiful, free from extremes, the adjustment of the various vicissitudes being perfect. For two days only the sun rose enveloped in a fog, as in Holland; twice, since their arrival in Egypt, there was rain for a few minutes, on the borders of Thebais, where, it is said, it never rains. For four days, the thermometer indicated 28° in the shade, and in the sun 43° (of Reaumur): the wind was strong on the river.

The expedition left Hermopolis on the 8th of November, for Syout, the capital of Upper Egypt. M. Lenormant describes, in animated language, the feelings he experienced in contemplating the glowing objects of Egyptian scenery.

The number of birds, and the variety of their plumage, denote the proximity to the tropic: crocodiles now begin to line the banks of the river. The brilliancy of the light, which daily grows more rich and powerful, gives a lustre to the slightest details of nature, and exhibits to us landscapes which are never seen in our climate. The perpetual contrast between the desert and valleys of indescribable verdure, which are continually succeeding each other, keeps the imagination always in play, without leaving upon the mind any sense of that monotony, which it would seem must be produced by a stream flowing between two hills. In a few days, all this scenery will be enlivened by the presence of magnificent monuments, still exhibiting all the splendour of the liveliest tints. We shall perceive the commencement of that chain which continues without interruption to the extremity of Nubia, in the midst of new races of people, of strange manners, and daily presenting new and striking features to the eye. Is it possible not to feel emotion at such a prospect? This is the state in which I now find myself, constantly passing from extacy to regret, from the most delightful sensations to reflections the most melancholy. In a short time, this episode in my life will appear like a dazzling flash; the past already assumes more vivid colours; already do I bitterly repent of having blasphemed against the pyramids, which my mind has at last felt an inclination to cling to for ever.

## THE ADVENTURES OF HATIM BENI TYE.

THE adventures of Hatim compose a Persian romance highly popular in the East. It has recently been translated into English for the first time, and published in several consecutive numbers of the *Calcutta Government Gazette*. The translation is executed in a manner which justifies us in concluding that it is the work of a gentleman, whose name we forbear to mention, eminent for his knowledge of oriental tongues; it will, therefore, be no unacceptable article in this Journal:

The illustrious historians of surprising events have recorded that, in the country of Room there was a king whose name was Azcem Ishan, and there was in that kingdom a beautiful maiden named Hussun Banoo. Her father died suddenly, and left her an orphan, poor, and unprotected. Amidst this unhappiness, she attracted the admiration of a durwesh. The durwesh, deeply enamoured of her charms, repaired to her house, and requested her in marriage; but Hussun Banoo indignantly spurned him from her presence. When the durwesh found his hopes of success so early blasted, he determined on revenge. He complained to the king of Room, saying: "a certain woman has solicited me to marry her, and not being able to accomplish her object, she has, enraged at my refusal, bitterly reproached, and even beaten me." On hearing this the king's displeasure was roused, and the flames of wrath kindled in his bosom. He summoned the officer of police before him and said: "a cunning deceitful woman has insulted the dignity of a virtuous and holy durwesh, whose heart is unsullied by the contaminations of sensuality, and the vanity of worldly ambition; punishment is necessary. She shall be expelled from the city, and her dwelling reduced to ashes. This example will deter others from similar acts of wantonness and profligacy. The character of a durwesh is sacred." The police officer immediately carried into execution the orders of the king, and Hussun Banoo, attended by only one female domestic, left the city in an agony of sorrow and despair. They had travelled a considerable distance, when the heat of the day became so oppressive, that they were obliged to take shelter under the shade of a wide-spreading tree. There Hussun Banoo, almost exhausted with fatigue, preferred a prayer to the Beneficent Creator! "O Almighty God! nothing is hidden from thee! thou knowest that I am innocent, and hast seen the abominable conduct of the revengeful durwesh!" At midnight, wrapt in profound sleep, she beheld in a dream a venerable old man standing near her pillow. He said to her, "Hussun Banoo! despair not, thy prayer has been heard. Behold I am Khaja Khizzer,\* sent to thy assistance by the Omnipotent Creator of the Universe. Arise, dig up a little earth from underneath this tree, and thou wilt discover the treasure of seven kings, buried in seven separate places; seven splendid peacock-thrones, adorned with gems beyond all price, and one precious pearl of unequalled beauty. All these are thine. Succour those who are afflicted by calamity, and be generous to the poor!" When Hussun Banoo awoke, she related this wonderful dream to her attendant, and concluded by saying, "if this dream were occasioned by the agency of the devil, the form of Khaja Khizzer could not have appeared before me, for an evil

\* "Khizzer, the name of a prophet who, according to oriental tradition, was vizier and general to an ancient king of Persia, called Alexander or Calcobad. They say that he discovered, and drank of, the fountain of life, and that in consequence he will not die till the last trumpet. He is, by some, confounded with the prophet Elias, and, which is somewhat singular, likewise with St. George of England."  
—Vide Richardson's *Persian Dictionary*.

evil spirit has no power by which it can assume the semblance of the prophets. Return to the city, collect a number of servants and labourers, and bring them hither." When the servants and labourers came, she ordered them to dig up the earth near the tree. In a few minutes the seven pits filled with treasure appeared! Hussun Banoo fervently expressed her gratitude to Heaven, and immediately went to the king. "Almighty God has bestowed upon me immense wealth; take whatever you require, and appropriate it to your own use." The king having heard the particulars of this extraordinary circumstance, proceeded to the spot, and seeing the seven pits full of gold and silver, he ascended his magnificent throne, and directed the contents of six pits to be carried to his own treasury; but when the servants of the king arrived at the place, they found every pit full of serpents and scorpions. They returned with precipitation, and instantly related what they had seen. The king called to Hussun Banoo, saying: "My child, I perceive that this property is destined to be all your own."—"May the life of your majesty extend to eternity!" she exclaimed; and then added, "with your royal permission, a noble city shall be built here, so that the remembrance of this wonderful event may endure for ages!" The king signified his approbation, and returned to the seat of his government.

The most skilful and accomplished architects and artists of every description were immediately employed on this stupendous work; and Hussun Banoo ordered the superintendents to make known that every person going thither should be accommodated with a suitable habitation, and all the necessities of life, free of expense. A short time after the publication of this proclamation, the city was brought to such a degree of perfection, that the azure heavens became envious of its splendour. This beautiful city was called Shahabad. The doors of entertainment and liberality were ever open to the poor and the necessitous; and a custom prevailed, that whenever a stranger arrived, he was gratuitously supplied with food and lodging. Night and day, all was enjoyment and luxury. Travellers from every region soon spread far and wide the fame of this delightful place. The perfect beauty, the wisdom, and unrivalled accomplishments of Hussun Banoo became celebrated throughout the world; and kings and princes, captivated by her great and matchless reputation, ardently sought for the honour of her hand. So violent were their desires and their curiosity, that they did not hesitate to forsake their homes, to reside near the lovely enchantress at Shahabad. Hussun Banoo was embarrassed by the number and importunity of her suitors. She knew not how to decide. At length she came to this determination, that whoever was able to give distinct and satisfactory replies to seven difficult and important queries, familiarly known and understood by her nurse, should be declared the successful rival: and him she engaged to obey. The queries were particularized in the following order:

#### THE SEVEN QUERIES.

*First Query.*—A person there is who calls with a loud voice, "what I once saw, and desire to see again!" Where is that person, and what did he behold?

*Second Query.*—A person there is in the desert who calls with a loud voice, "Do evil unto no man, for, assuredly, the evil will fall upon yourselves!" Ascertain the object of this exhortation, what evil that person has committed, and what punishment he has received?

*Third Query.*—There is a mountain called Nidda, from whence a supernatural voice proceeds. Where is that mountain? Explain this mystery, and the cause of the pre-natural sound.

*Fourth Query.*—A person has written over his door, "Be virtuous and just, and throw

throw into the river. Who is that person? In what manner has he been virtuous and just, what did he throw into the river, and what were the consequences?

*Fifth Query.*—A person has written over his door, "The speaker of truth is always tranquil and happy!" Where is that person? What truths has he spoken, and what advantages have been the result?

*Sixth Query.*—I have one pearl which is as large as an egg; bring me another of equal magnitude!

*Seventh Query.*—There is a bath called Badi-gird, and whoever enters into that bath never returns! Where is it situated? Clear up this enigma, and bring the result of the investigation to me.

I am the prize reserved for him who, surmounting every difficulty, succeeds in his researches.

When the world was acquainted with these seven conditions and queries of Hussun Banoo, all orders of men were struck with wonder and amazement. The king of Syria had a son called Shazada Muneer Shamee, who no sooner heard of the peerless beauty of this astonishing woman, than he fell desperately in love with her, and instantly set off for Shahabad. One day he approached the portico of the princess, and requested to be admitted. He was at length ushered into the palace, and seated on a chair ornamented with jewels and gold. A screen richly adorned was, according to oriental custom, suspended between them. The prince of Syria lost no time in expressing to her the ardour of his attachment, and the object of his wishes. Hussun Banoo said, "my queries are universally known; they are more conspicuous than the sun. There is no occasion for deception or blandishment; I am destined to be his alone who performs the task I have imposed!" These words carried distraction to the mind of the prince of Syria, and he departed in the deepest affliction. He took the road to the desert, and after wandering about a considerable time, indulging the agonizing sorrows of his heart, he came to a wild, horror-breathing forest, where he sat himself down under a tree. It so happened that the celebrated Hatim-Beni-Tye, at that time engaged in the sports of the chace, was passing, and observing a young man, beautiful as the full moon, sitting in a state of mental inquietude, he paused, and said in his heart: "Hatim, servant of God! wilt thou not make an effort for him who is overcome by calamity? If thou art careless, what answer wilt thou give on the last day?" Hatim was the son of the king of Arabia. The desert in which he was hunting resounded with the roarings of beasts of prey. He approached the young man, and said: "wherefore are you sitting here in sorrow? Explain the cause of your grief, and I may be able to relieve you. If wealth or possessions can gratify the wishes of your heart, in exchange for what you may have lost, you are welcome to all I can command." The prince replied: "If wealth were my wish, my father is the king of Syria, and has abundance; but I am engaged in an affair of the greatest importance, which, without the interference and blessing of heaven can never be brought to a successful termination." Hatim requested him to relate his history, and the young prince then produced a paper on which was represented the idol of his heart. "What picture is this?" said Hatim. The prince, sighing deeply, observed, "this is the princess of Shahabad. She has proposed seven queries which have astonished the world, and whoever is able to reply to them distinctly and satisfactorily, will be rewarded with the enjoyment of her charms. Of myself I have no power equal to so arduous an undertaking, neither can I endure the pangs of disappointment." Hatim, when he heard this, gave him every sort of consolation, and invited him home. Having spent some days in performing

performing the rites of hospitality, and enjoying the pleasures of the banquet, he took leave of his father and mother, and proceeded, accompanied by the prince of Syria, towards Shahabad. When they arrived there, they were immediately announced to the princess, who ordered them to be admitted. The strangers were seated on chairs ornamented with jewels and gold, and Hussun Banoo, as usual, remained behind her splendid screen. "Hussun Banoo!" said Hatim, particularize to me the nature of your conditions, that, before God, I may embark in this glorious enterprize, and with the hopes too, that having, under divine power, succeeded in my exertions, you may urge no further excuse or artifice." Hussun Banoo replied, "Hatim! seest thou not that my promise and my conditions are equally unchangeable? The young man already knows the task I have imposed." Hatim said, "I leave my friend, then, Shahzada Muneer Shamee, near you. Cease not to remember this." Hussun Banoo assented, and Hatim, in taking a last farewell of the prince of Syria, recommended him to the protection of Heaven. The prince reiterated as he departed:

Where'er you go, invoke the aid of Heaven,  
Where'er you go, its blessings will be given.

#### FIRST QUERY.

Before Hatim left Shahabad he inquired of Hussun Banoo in what direction he should proceed. "To the eastward," she replied; "thus much I have heard from my handmaid, and no more!" Hatim then set off in search of the person who calls with a loud voice, "What I once saw, and desire to see again." Night and day he pursued his journey, till he came to a desert overrun with man-devouring animals. He trusted in Providence, and went on.

He had not gone far before he met with immense troops of bears, who immediately surrounded him, and carried him triumphantly before their king. His majesty ordered him to be seated. Hatim observed that the king of the bears was a human being, and that he had a beautiful daughter. The king said to Hatim, "will you marry my daughter?"—"I cannot," replied Hatim, "being engaged in an important enterprize!" For many days the most urgent solicitations were made in vain. Hatim at length found it expedient to consent, and the monarch of the bears having assembled his subjects together, married them according to the custom and law of the country, and presented them with a cavern to reside in. After having passed some time in the most rapturous enjoyment, Hatim requested of his bride permission to depart, declaring that business of the utmost importance imperiously called him away; but that on the accomplishment of his mission he would assuredly return. The bride was, at length, satisfied by his promises, and she obtained her father's leave for him to go; but previous to his departure she gave him a talisman of wonderful powers, to extricate him from every difficulty and danger.

Pursuing his journey, in a few days he came to a mountain covered with trees and fruit of the most delicious flavour. A rivulet of pure transparent water ran at his feet. He refreshed himself with the fruit, and returned thanks to heaven. Suddenly, he observed a palace magnificently furnished; and, seeing no person near, he entered that heart-exhilarating abode, where he laid himself down and fell asleep. When he awoke he found a durwesh sitting beside him, who, with a mild countenance, accosted him and said, "well, Hatim! how did you arrive at this place, and whither are you going?" Hatim then related the history of his engagement, and the purpose of his journey; to which the durwesh replied, "you are fortunate in meeting with me, for I can furnish you



with some account of him, whom you are seeking. About the distance of three furlongs, there is a lake, on whose borders grows a large tree. Should you repose under the shadow of that tree, a naked woman, adorned with precious jewels, will rise from the lake, and taking your hand, draw you along with herself into the place from whence she came. It will be necessary for you to shut your eyes without hesitation, and when you open them again you will behold a joy-inspiring garden, the four walls of which are embellished with paintings of exquisite beauty, and pannels inlaid with gold. A female, dancing and smiling, will make her appearance; but remain silent. A splendid mansion will rise to view in which a throne is placed. When you are seated on that throne, you will hear a strange sound, and a damsel, more luminously beautiful than the sun or moon, will come forward, smiling and dancing, and continually making signs to you, so that your desires will be excited. If you wish to meet with the person who calls, 'what I once saw, and desire to see again,' seize the hand of that matchless beauty, and you will be instantly transported to a horrible desert, where you will hear those exclamations which you are so anxious to hear. That person also beheld the magic spectacle I describe, and, instantly falling in love, he was carried into the desert, where, night and day, weeping and lamenting, he still ruminates on the objects he had seen. If you wish, take that person along with you beneath the tree, and do you stand at a distance to observe what occurs. The naked woman will again rise from the lake, again draw him after her, and again place him in the garden I have described. You may then inform him, that if the sight of that enchanting idol causes such increasing desire and pleasure on his heart, he must not attempt to touch her hand, and then the remainder of his life will be happy!"

Hatim having heard these instructions passed the night with the durwesh, and in the morning proceeded on his journey. He soon reached the lake. Presently the naked woman arose from the lake, and, seizing the hand of Hatim, hurried him into the water. Having soon beheld the garden, which was more delightful and charming than imagination can conceive, damsels of fascinating beauty, dancing and smiling, approached him from every side; he entered the magnificent mansion, and seated himself on the throne as the durwesh had directed.

Suddenly he heard a tremendous howling, and afterwards the heart-ravishing damsel appeared, dancing, and with smiles casting love-inspiring glances at him. He passed three days in this heavenly abode. At length, recollecting his engagements to the prince of Syria, he seized the hand of the fair damsel, and immediately on touching it, he heard another awful howl, and he was involved in impenetrable darkness. On the re-appearance of light, he found himself in a dreadful desert, which resounded with the roaring of beasts of prey. He offered up a prayer to Heaven, and proceeding forward, he heard a loud voice crying, "what I once saw, and desire to see again!" After searching about a considerable time, he found these exclamations to proceed from an old man sitting in a melancholy and sorrowful attitude, with his eyes closed, and every time he opened them he cried, "what I once saw, and desire to see again!" Hatim approached him, and after exchanging salutations, the old man said, "how is it, my friend, that you have come to this horror-breathing desert, where nothing exists but man-devouring animals?" Hatim answered him, and inquired the meaning of his calling "what I once saw, and desire to see again." The old man wept bitterly, and related his story. Hatim asked him if he wished to be conducted to the enchanted garden again, and he replied, "yes, that is my desire;" and fell at his feet. After a journey of several

several days, they both arrived at the tree and the lake, on seeing which, the signals of the near approach of the idol of his heart, the old man screamed and fainted. When he recovered, he again threw himself at the feet of Hatim, and poured blessings upon him. He then went under the tree, and immediately the enchantress arose, and seizing his hand, they both plunged into the lake together. Hatim having accomplished the first part of his enterprize, returned to Shahabad, and taking the prince of Syria along with him, he proceeded to the residence of Hussun Banoo, to whom, the splendid tapestry being suspended between them, he related the events of his journey. Hussun Banoo said, "in this manner I have heard it from my nurse: you are right."

#### SECOND QUERY.

The authors of amusing histories, and the recorders of wonderful events, have written that Hussun Banoo, on a satisfactory reply being made to the first, brought forward the second query, saying, "I have heard there is a person in the desert who calls with a loud voice, 'Do evil unto no man, for, assuredly, the evil will fall upon yourselves!' Ascertain the object of this exhortation, what evil has that person committed, and what punishment has he received?" Hatim inquired in what quarter the person resided. Hussun Banoo replied, "in the north: thus much have I heard, and no more."

Hatim rested awhile from his toils, and then, having given the prince of Syria every sort of consolation, he commenced his second labour. On coming to a beautifully green mountain, he observed a young man sitting in the shade of a tree, with a branch bound over his eyes, and moaning as if overwhelmed in the deepest distress. He continued calling with a loud voice, "come away! come away! for I cannot endure the pangs of absence." Hatim, on hearing this, approached the young man, and shook him by the hand. He opened his eyes and inquired, "from whence do you come, and in what business are you engaged?" Hatim replied, "I am a traveller, I have seen many wonderful things, and experienced a great deal of sorrow: tell me, first, in what manner you are involved, and by what means your anguish may be relieved." The young man said, "my story is long and tedious, which to hear will only exhaust your patience." Hatim desired him to commence his narration, and assured him that the pressure of his grief might be lightened. At last the young man opened the door of his secret with the keys of his lips, saying, "I am a native of the city of Mera, and went on a trading voyage to Egypt. On my return with immense quantities of merchandize, my road led over this mountain, where I chanced to separate from the caravan, and, suddenly perceiving a beautiful nymph sitting under a tree, my bosom was wounded by the arrows of love at first sight. I approached the heavenly fair, and said, 'O, soul-subduing beauty, am I to address you as the inhabitant of heaven or of earth?' She replied, 'I am born of a Peri, I inhabit this mountain, and my name is Alkun-Peri. You have this moment also captivated my heart.' With this fascinating angel I passed seven fleeting years, enjoying the most sublime pleasure and delight. At the end of seven years I became dissatisfied with residing in this desert, and conceived it would be still more pleasant for us to take up our abode in some city. I mentioned my intention to Alkun-Peri, and she warmly approved of the change. 'You must, however,' said she, 'previous to our departure, give me leave to visit my father and mother!'—'That cannot be,' I replied, 'for you may then forget me, and I shall certainly never survive our separation. My death will thus hang heavy on your conscience!'—'Be under no apprehension,' rejoined Alkun-Peri, 'it is absolutely necessary

sary that I should go !"—'O, my brother, it is now seven years that I have waited in expectation of her. God forbid that she should have ever returned without meeting with me.' Hatim inquired which way she went. The young man said, "she went a few steps to the right, and then vanished !" Hatim consoled him, and engaged in a short time to bring back the darling of his heart.

For that purpose Hatim commenced his journey, and towards evening he arrived at the top of a mountain. He sat down, and having quenched his thirst with eating wild fruit, he fell asleep. In the middle of the night he was awoke by a most terrific yell, at which he was dismayed, thinking himself involved in some great calamity, and that he would not be able to accomplish the several objects of his pursuit. He arose, and directing his steps to the quarter whence the sound proceeded, he soon observed a young man of a beautiful countenance seemingly in great affliction. The youth raised his eyes, and said to Hatim : "Who are you, who appear to pity my distresses ?" Hatim rejoined : "I am a soldier, I have endured many sorrows, and surmounted many difficulties. If you make me acquainted with your affliction, and the cause of your remaining in the desert, you will find a remedy at hand." The young man said, "I am also a soldier: I left my home to improve my fortunes, and happening to see at the window of a palace in the city of Budur, a woman of incomparable beauty, I fell in love with her; so extravagant was my attachment, that all my mercantile speculations were instantly thrown to the winds and forgotten. In the delirium of my love, I asked a person 'to what heaven does this rosy moon belong?' He replied : 'She is the daughter of the magician, Sahur-saz, the governor of the city. She is unequalled in beauty, and the magician will give her in marriage to no one unless he is able to perform three separate and important actions.' On hearing this, I hastened to the magician Sahur-saz, and related to him my hopes and wishes. He said :

1st. Bring me a pair of birds called Moorgh-peri-roo.

2dly. Bring me the talisman of the red serpent ; and,

3dly. Dive three times into boiling oil, and if you come out without injury, you shall be rewarded with my daughter in marriage.

On taking leave, the heart-endearing damsel beckoned to me from the window, and said, she recommended me to the protection of God :

Where'er you go, invoke the aid of heaven,

Where'er you go, its blessings will be given.

To which I replied :

Where'er I go, my heart will own your powers,

Where'er I go, my life and soul are yours.

At parting from this fascinating woman, I felt the most exquisite emotions of distress. I repaired to the desert, and in a few days arrived at this mountain. All traces of business were gone : I wept continually ; I enjoyed no rest by day, or sleep by night ; but I still trusted in the goodness of God, for who knows what may not appear from behind the veil of futurity, or what the night of destiny may not produce !" Hatim felt most sincerely the affliction of the young man, and generously promised to perform the conditions required. He set out towards Mazinduran with the intention of fetching the birds called Moorgh-peri-roo. He was unacquainted with the road, so that he had great difficulties to encounter.

On his arrival at a village, he found all its inhabitants weeping and wailing. They said that there was a great giant in the neighbourhood, who regularly  
every

every night took a man away from the village, roasted and ate him, and then returned into the desert: the son of the chief of the village was the next to be sacrificed. Hatim immediately went to the house of the chief and said, "allow me to take the place of your son." The chief was surprised, and replied: "you are this day my guest, and have shared of my hospitality; how is it possible that I can allow you to be devoured by the giant?"—"This is of no avail," said Hatim, "you must comply with my request." The chief was silenced, and Hatim proceeded to the desert. About midnight the giant appeared: Hatim secreted himself in a hole in the earth. The giant, not seeing a human being, took the road to the village. Hatim sprung up, and following him, cut him to pieces in a moment with his sword, and sent his accursed soul to the infernal regions. He immediately returned thanks to heaven, and in the morning went back to the village. The inhabitants of that unfortunate place were amazed to see him, and rich and poor surrounded him, impatient to hear the particulars of the adventure, which he described to them at length. He remained with them several days, enjoying the kindest welcome, and receiving the blessings of them all. Having been shewn by them the road to Mazinduran, he departed, ever ruminating on the omnipotence and goodness of God.

When he arrived at the desert of Mazinduran, he sat down under a tree. In the evening, all the birds called Moorgh-peri-roo, with faces like angels, and bodies like peacocks, assembled on the tree, and one of them, addressing the others, said: "My friends, Hatim-Beni-Tye, ever active in contributing relief to the necessities of the servants of God, has arrived here for the purpose of carrying away a pair of our young." Another replied: "Then, for heaven's sake, give him permission." Hatim ascended the tree, thanking them for their liberality, and took a pair away with him. These he safely delivered into the hands of the young man, and related to him all that had happened to him on the enterprize. The young man instantly carried them to Sahur-saz, who acknowledged that they were the animals he wanted.

Hatim set off again, in search of the talisman of the red serpent. After travelling some days he met with a weasel fighting a serpent, and endeavouring to swallow it. Hatim vociferated aloud, and the weasel quitted his hold and crept into a hole. The serpent also disappeared; but in the space of a minute assumed the shape of a beautiful youth, and saluting Hatim, said "You have been exceedingly generous to me." Hatim was astonished. "I am the prince of China," continued he; "my name is Kurtass Jin. That weasel you saw is the slave of my father, and my enemy. Finding me alone to-day, he wished to kill me, but you have prevented him. My habitation is in this forest: my army consists of fifty thousand Genii. If you will accept of my invitation to a banquet, you will do me honour." Hatim complied.

The young man gave a signal, and instantly ten thousand Genii appeared, who in a moment conveyed Hatim under ground, where he saw a magnificent mansion and a beautiful garden. Hatim was accommodated in the most sumptuous manner; but took occasion to describe to Kurtass the nature of his engagements, what he had done, and what still remained to be done. Kurtass admired his eminent valour and intrepidity, and made him a present of a spear, saying: "wherever the serpents present themselves, strike the spear on the ground, and they will be subdued." He then commanded several Genii to act as guides, and conduct him to the country of the serpents. They accordingly carried him thither, and presently ten thousand white serpents appeared; but on his striking the spear on the ground they all vanished. He  
remained

remained there all night, and in the morning he was surrounded by as many black serpents, which were made invisible by the same spear. In this manner Hatim passed six fields of serpents, and at last fell in with red serpents. The excessive heat proceeding from them made him almost perish with thirst and debility; his body became blistered all over, and he could not without difficulty move. He rolled on the ground, and cried: "O God, for the good of thy servants I am engaged, if thou art pleased to see me afflicted, I ought to rejoice." Whereupon an old man appeared to him and said: "O Hatim, why do you not put in your mouth the talisman of the bears?" Hatim followed the advice of the old man, and instantly his thirst was relieved and the blisters were removed. He prayed to heaven, and proceeding a few steps forward, he saw the red serpent, about a span long, mounted upon another of enormous size. Hatim again put the talisman of the bears in his mouth, and then seized the red serpent by the tail, striking at the same time the spear of Kurtass on the ground, which made all the others vanish. Having procured the talisman, he returned, and presented it to the young man, who, almost delirious with joy, laid it before the magician Sahur-saz. The Magician said, "only one condition now remains to be executed." An iron kettle was then brought, in which he boiled a great quantity of oil three days and three nights. "Now," said he, "plunge three times into this boiling oil." The young man was dumb with astonishment; but Hatim gave him encouragement, and offered him the talisman, which he affirmed would totally prevent the boiling oil from making any impression on him. The young man did as Hatim directed, and performed the dreadful condition required. There was now no cause of delay, and the marriage took place. Hatim took back the talisman, and prosecuted his journey in search of Alkun Peri.

He passed through many a dreadful forest, and coming to a mountain, he saw at a distance a troop of Peris. He kept his eye upon them till they disappeared. He observed the mouth of a deep pit into which he fancied the Peris had gone. With this persuasion he went into it and discovered the Peris walking in a delightful garden. On seeing Hatim, they surrounded and took him prisoner, saying, "What, mortal, hast thou voluntarily descended to the grave? Knowest thou not that this is the garden of Alkun-Peri, the princess of the mountain Ankash? The sight of her amazing beauty will deprive thee of existence." Hatim replied: "Take me before Alkun-Peri, for we cannot alter the course of destiny." The Peris told him that the princess would be in the garden the next day. When the sun arose from the mountains of the east, Alkun-Peri, adorned in the most magnificent manner, entered the garden, and repaired to a mansion ornamented with pearls and rubies. The attendant Peris were placed in ranks on each side of her. One of them, the keeper of the garden, advanced forward and said: "Yesterday a human being arrived from the rolling earth, what is to be done with him?" Alkun-Peri immediately imagined him to be the young man with whom she had lived, and when Hatim was introduced, she was disappointed, saying: "In what manner have you reached this place, since the birds of heaven are unable to fly hither? Who are you?" After the accustomed ceremonies and greetings, he replied: "I have suffered much, and with great difficulty and sorrow have I arrived here, to give you information of the state of the young man, your lover, whom you seem to have forgotten. If he should die, you will have on the last day to answer for his death." Alkun-Peri rejoined: "If his affection be sincere, he will undoubtedly come hither." "You have already commanded him to remain where he is, how can he be disobedient to you?" Alkun-Peri now re-

leased

leased Hatim from his fetters, and treated him with great kindness. She consented that the young man should be brought, and ordered several Peris on that duty, who, in the twinkling of an eye, vanished in air, and appeared again, conducting the young man to the garden. The meeting was a happy one. The young man ejaculated: "O that I could for ever live in her blissful society!" Hatim, putting the talisman in his hand, said "rub this talisman with a little water, which you must afterwards drink; then bring a goblet of pure water, having first immersed the talisman in it." The young man accordingly did so, and then Hatim said to Alkun-Peri: "Alkun-Peri, pray oblige me with a glass of your sherbet. In the mean time, taste some of mine," handing to her the liquid which he had ordered to be prepared. Alkun-Peri drank it, and in an instant she was inspired with such ardent love and affection for the young man, that their marriage was the immediate consequence.

Every exertion of Hatim having thus happily succeeded, he asked leave of Alkun-Peri to depart, urging the importance of his own engagements which he had previously described, Alkun-Peri immediately commanded a train of Peris to transport him to the desert, where the person calls with a loud voice, "do evil unto no man, for assuredly the evil will fall upon yourselves." Hatim was instantly carried through the air and set down in the desert, where he soon observed an old man in an iron cage, which was suspended from a large tree. In a few minutes he heard him cry, "do evil unto no man, for assuredly the evil will fall upon yourselves." Hatim, approaching him, inquired the cause of his melancholy condition, and why he was imprisoned, like a bird, in a cage. The old man demanded the name of the person who addressed him; and being told that it was Hatim-Beni-Tye, he lifted up his hands to heaven and returned thanks to the God of Mercy. "Now," said he at length, "hear my story. I am the son of a merchant: my name is Hamran. The city which bears my name was built by my father, and it belonged to him alone: he possessed amazing wealth. When he died, my prodigality threw his property to the winds. I knew that great sums had been privately buried under ground, but where I could not ascertain. I became extremely poor and distressed. One day I heard a person call with a loud voice, 'whoever has lost buried treasures, on his granting me a fourth share I will discover it to him.' I immediately went to the man and acceded to his terms. The treasure was found; but, on counting it over, the fourth share of it was such an immense sum, that I refused to pay him. I even beat him, and kicked him out of doors, keeping the whole to myself. In a few days he returned, and I offered him a small sum, but he said, 'no, I have no use for it; but to-morrow I will take you along with me to the desert, when, on throwing a particular herb in your eyes, all the buried treasure in the world will be visible to you.' My avarice led me to accept his invitation; but, to my astonishment and sorrow, the herb which he brought deprived me entirely of sight. He then put me in this cage, and hung me to a tree, saying, 'now learn this golden sentence: 'Do evil unto no man, for assuredly the evil will fall upon yourselves.' A person named Hatim will one day or other approach, and he will, with the virtues of some other herb, restore you to sight. Thank heaven the prophecy is accomplished." Hatim requested the Peris who brought him to take him to the place where the particular herb was to be found. They seated him on a throne and conducted him thither. He soon returned, and through him the blessing of sight was restored to the old man. Having taken leave of him, he was transported back by the Peris to Shahabad. The attendants

tendants of the prince of Syria gave intelligence that Hatim had returned : the prince fell at his feet. Hatim took him to the residence of Hussun Banoo, to whom (the splendid tapestry being suspended between them) he related the particulars of his enterprize. Hussun Banoo replied, " you are right ; in this manner I have heard it from my nurse."

(To be continued next month.)

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## ARCHDEACON CORRIE.

*To the Editor of the Asiatic Journal.*

SIR : In perusing a speech, recorded in pp. 243—244 of your journal for February, said to have been delivered by the Rev. C. Simeon, at a meeting of a Society, established in the diocese of Ely and the University of Cambridge, in aid of the Society for the propagation of the Gospel in Foreign Parts, I was much surprised, as many of your readers in India and elsewhere will doubtless be, to observe that in Mr. Simeon's enumeration of the names of those who have been most zealous and active in promoting Christianity in India since the time of Schwartz, the name of that unwearied labourer in the good cause, the present Archdeacon of Calcutta, is altogether omitted. It was natural to expect that when Martyn was named in such a connexion, Corrie would not have been forgotten, their names, as fellow-labourers in India, being known in all the churches. But Mr. Simeon may conceive that this devoted servant of God has ceased to be held in equal estimation in India since the death of Martyn and the increase of the church establishment in that country ; as such a misconception may operate injuriously to the cause of truth, I take the liberty of calling attention to the following opinions respecting the Rev. Daniel Corrie and his labours in India, as expressed by each of the two late Bishops of Calcutta.

" Among the missionary proceedings of the present day," said Bishop Middleton to the clergy of Bengal, " I have met with none which have been conducted with a happier combination of zeal and judgment than one of your own body has displayed ;" alluding to the Rev. D. Corrie, as expressed in a note to the printed charge.\*

The late Bishop Heber having stated † that there were twenty-six resident clergymen of the church of England, on the Bengal establishment, observed : " there are really some among them, whose names would rank high for talent, temper, zeal, soundness of doctrine, and holiness of life, in the best and brightest periods of ecclesiastical history. Such an one is my excellent friend Corrie, whose character, much as I valued and loved him before, I only learned to understand and appreciate fully during my journey through Hindostan, from tracing in almost every part of it the effects of *his labours*, and the honour in which his name is held by Christians, Hindoos, and Mussulmans,"

By inserting this letter you will greatly oblige

A CONSTANT READER.

\* Bishop of Calcutta's Primary Charge, 4to. 1817, pp. 19, 20.

† Bishop Heber's Journal, 4to. edition, p. 400.

## Review of Books.

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*Transactions of the Royal Asiatic Society of Great Britain and Ireland.* Vol. II. Part I. London, 1829. Pp. 340. App. pp. xl.

This portion of the Society's *Transactions* is not only considerably more bulky than any of the preceding portions, but the papers of which it consists possess great and diversified interest. We shall not waste the reader's time by any preliminary remarks, but proceed to give a short analysis of the contents of each paper.

The first is a continuation of the series of masterly essays "on the philosophy of the Hindus," with which Mr. Colebrooke has enriched these *Transactions*. We are not surprised to hear that the learned natives of India are astonished at the familiarity which this eminent oriental scholar discovers with the difficult subject of Indian philosophy, and at the skill with which he develops the distinguishing features of its different schools. The precision and the perspicuity which Mr. Colebrooke has introduced into this abstruse, confused, and complicated department of Hindu learning, the success which has attended his efforts *e fumo dare lucem*, render these essays probably the most valuable treatises upon Hindu science ever yet published in any European language.

The present essay is devoted to an analysis of the *Brahma-mīmāṃsā*, or *uttara* (later), contrasted with the *pūrvā* (prior), or *Carma-mīmāṃsā*. The latter is an investigation of proof deducible from the *vēdas* in regard to works (*carma*), as the former, that which is now under consideration, and which is commonly called *védānta*, is to theology. Together they comprise the complete system of interpretation of the precepts and doctrine of the *vēdas*, both practical and theological.

The foundation of the *védānta* doctrines, which have given birth to various sects, is in the *upanishads* of the *vēdas*; but the grand authority is the collection of *sūtras*, or aphorisms, entitled *Brahme-sūtra*, which is attributed to Bādarāyana, or Vyāsa, said in the *Purānas* to be an incarnation of Vishnu. Vyāsa is the reputed author of the *Mahābhārata* and most of the principal *Purānas*; and as the doctrine of these works is not quite consonant with that of the *vēdas*, Mr. Colebrooke doubts the identity of Vyāsa and Bādarāyana.

The *Brahme-sūtra*, or *Sārīraea mīmāṃsā*, as it is termed, is posterior to the atheistical *Sāṅkhya* of Capila, the atomic system of Canāde, the systems of the Bauddhas, Jainas, &c.; and for this and other reasons, Mr. Colebrooke concludes it to be the latest of the six grand systems of doctrine (*darsana*) in Indian philosophy. The comparatively modern date of at least the comments on the *védānta*, is demonstrated by an otherwise remarkable analogy discovered between the dialectics of India and Greece, in the mode of proof employed by the *Védāntins*, who have reduced the five members of the *nyāya*, or syllogism, to three, namely, the proposition, the reason, and the example; or, the instance, the application, and the conclusion, which is perfectly Aristotelian. Mr. Colebrooke promises in a future essay a full examination of the logic of the two *mīmāṃsās*.

The most distinguished scholiast of these *sūtras* is the celebrated Sancara Achārya, who flourished, according to Mr. Colebrooke, at the close of the eighth or beginning of the ninth century; the antiquity of the text, or of the older scholia, there is no evidence to determine, unless the identity of



Bádaráyana and Vyása be admitted, which would place its date anterior to the Christian era. This gloss of Sancara has been annotated and interpreted by a herd of commentators; and "these multiplied expositions of the text and of the gloss furnish an inexhaustible fund of controversial disquisition, suited to the disputations of the schoolmen of India."

The *últara-mímánsá* opens with an announcement of the purport of inquiry, which is "concerning God;" and then proceeds: "He is that whence are the birth, and continuance, and dissolution, of this world; He is the source of revelation, or holy ordinance:" that is, as the commentators expound the aphorisms, "He is the omnipotent Creator of the world, and the omniscient author of revelation." After a refutation of the atheistical doctrines of Capila on this head, the *sútras* and scholia ascribe the following attributes to the Supreme Being, or Brahme: "He is the omnipotent, omniscient, sentient cause of the universe, is (*anandamaya*) essentially happy. He is the brilliant, golden person, seen *within* (*antar*) the solar orb and the human eye. He is the *etherial* element (*ácús'a*), from which all things proceed and to which all return. He is the *breath* (*prán'a*) in which all beings merge, into which they all rise. He is the *light* (*jyótish*) which shines in heaven, and in all places high and low, every where throughout the world, and within the human person. He is the *breath* (*prán'a*) and intelligent self, immortal, undecaying, and happy, with which Indra, in a dialogue with Pratardana, identifies himself."

Various expositions are quoted by Mr. Colebrooke of the meanings annexed to the name of Brahme, and the words (which may have some material accident or property, when employed to express other ideas) used to denote the Deity, the "Supreme Spirit," the "Eternal, without beginning as without end," the "Maker and Governor of the universe," the "origin of all beings," the "universal soul," the "omnipotent," the "omniscient," &c. These expositions are extremely curious, and vindicate this school of Hindu philosophers at least from the reproach of entertaining degrading notions of the Deity. The result of the whole seems to show that "the mystic name of Brahme, is applied either to the supreme Brahme, uniform, with no quality or distinction of parts; or to Brahme not supreme, but an effect, diversified, qualified; who is the same with the Viráz and Hiranya-garba of mythology, born in the mundane egg."

It had been intimated in an early aphorism of the first chapter, that the *védas*, being rightly interpreted, do concur in the same import, as there expressed, concerning the omnipotent and omniscient creator of the universe. An objection to this conclusion is raised, upon the ground of discrepancy remarked in various texts of the *védas*, which coincide, indeed, in ascribing the creation to Brahme, but differ in the order and particulars of the world's development. The apparent contradiction is reconciled, as they agree on essential points of the creator's attributes; omnipotent and omniscient providence, lord of all, soul of all, and without a second, &c.: and it was not the object of the discrepant passages to declare the precise succession and exact course of the world's formation.

It is because the Sánchya doctrine, says Mr. Colebrooke, is, in the apprehension of the Védántins themselves, to a certain degree plausible, and seemingly countenanced by the text of the *védas* and by Menu, that its refutation occupies so much of the attention of the author of this *mímánsá* and his scholiasts. These seeming confirmations are, however, shown to be really illusory, and Capila's notions are pronounced to be at variance with the *smṛitis* and the *védas*.

The doctrine derived from the tenour of the *védas* is to be supported, likewise, by reasoning independently of authority. 'The objection, that the cause and effect are dissimilar,

dissimilar, is not a valid one: instances of such dissimilarity are frequent. Hair and nails, which are insensible, grow from a sensible animal body; and sentient vermin (scorpions, &c.) spring from inanimate sources (cow-dung, &c.) The argument, too, might be retorted; for, according to the adverse position, sentient beings are produced from an insensible plastic nature. On these and other arguments the orthodox doctrine is maintainable by reasoning; and by like arguments opinions concerning atoms and an universal void, which are not received by the best persons, may be confuted.'

'The distinction relative to fruition, discriminating one who enjoys and that which is enjoyed, does not invalidate the singleness and identity of Brahme as cause and effect. The sea is one and not other than its waters; yet waves, foam, spray, drops, froth, and other modifications of it, differ from each other.'

'An effect is not other than its cause. Brahme is single without a second. He is not separate from the embodied self. He is soul; and the soul is he. Yet he does not do that only which is agreeable and beneficial to self. The same earth exhibits diamonds, rock crystals, red orpiment, &c.; the same soil produces a diversity of plants; the same food is converted into various excrescences, hair, nails, &c.'

'As milk changes to curd, and water to ice, so is Brahme variously transformed and diversified, without aid of tools or exterior means of any sort. In like manner, the spider spins his web out of his own substance; spirits assume various shapes; cranes (*valúcá*) propagate without the male; and the lotus proceeds from pond to pond without organs of motion. That Brahme is intire without parts, is no objection: he is not wholly transformed into worldly appearances. Various changes are presented to the same dreaming soul. Divers illusory shapes and disguises are assumed by the same spirit.

'Brahme is omnipotent, able for every act, without organ or instrument. No motive or special purpose need be assigned for his creation of the universe, besides his will.

'Unfairness and uncompassionateness are not to be imputed to him, because some (the gods) are happy, others (beasts and inferior beings) are miserable, and others again (men) partake of happiness and unhappiness. Every one has his lot, in the renovated world, according to his merits, his previous virtue or vice in a former stage of an universe, which is sempiternal and had no beginning in time. So the rain-cloud distributes rain impartially; yet the sprout varies according to the seed.'

The author of the *Védánta-sútras* next touches upon the creation of air and ether, and their nature; digressing to the topics of evolution and absorption of the intellectual and bodily senses. "Individual souls are, in the *véda*, compared to sparks issuing from a blazing fire; but the soul is declared expressly to be eternal and unborn; its emanation is no birth nor original production; it is perpetually intelligent and constantly sensible; it is for want of sensible objects, not for want of sensibility or the faculty of perception, that the soul feels not during profound sleep, fainting, or trance."

'As the sun's image reflected in water is tremulous, quaking with the undulations of the pool, without however effecting other watery images nor the solar orb itself; so the sufferings of one individual affect not another, nor the supreme ruler. But according to the doctrine of the *Sínc'hya*s, who maintains that souls are numerous, each of them infinite, and all affected by one plastic principle, nature (*pradhána* or *pracriti*), the pain or pleasure, which is experienced by one, must be felt by all. The like consequence is objected to the doctrine of Caríade, who taught that souls, numerous and infinite, are of themselves insensible; and mind, the soul's instrument, is minute as an atom, and by itself likewise unsentient. The union of one soul with a mind would not exclude its association with other souls, equally infinite and ubiquitary; and all, therefore, would partake of the same feeling of pain or pleasure.'

In treating of the means by which knowledge is attainable, and thereby liberation and perpetual bliss, the *sútras* touch upon the passage of the soul into the versatile world:

'The soul is subject to transmigration. It passes from one state to another, invested with

with a subtle frame consisting of elementary particles, the seed or rudiment of a grosser body. Departing from that which it occupied, it ascends to the moon; where, clothed with an aqueous form, it experiences the recompense of its works; and whence it returns to occupy a new body with resulting influence of its former deeds. But evil-doers suffer for their misdeeds in the seven appointed regions of retribution.

‘The returning soul quits its watery frame in the lunar orb, and passes successively and rapidly through ether, air, vapour, mist, and cloud, into rain; and thus finds its way into a vegetating plant, and thence, through the medium of nourishment, into an animal embryo.’

The *sūtras* next treat copiously of devout exercises and pious meditation, and of their fruit and of their effect, which is absorption into or re-union with the Supreme Being. This takes place directly in the case of one who has attained a true knowledge of God, by devout meditation on the pure Brahme; his vital faculties and bodily elements are absolutely and completely absorbed; both name and form cease, and he becomes immortal, without parts or members. The process is curiously detailed.

‘The soul, together with the vital faculties absorbed in it, having retired within its proper abode, the heart, the summit of that viscus flashes, and lightens the passage by which the soul is to depart: the crown of the head in the case of the wise; and any other part of the body, in the instance of the ignorant. A hundred and one arteries issue from the heart, one of which passes to the crown of the head: it is named *sushumna*. By that passage, in virtue of acquired knowledge, and of recollection of the meditated way, the soul of the wise, graced by the favour of Brahme, whose dwelling is in the heart, issues and meets a solar ray; and by that route proceeds, whether it be night or day, winter or summer. The contact of a sunbeam with the vein is constant, as long as the body endures: rays of light reach from the sun to the vein, and conversely extend from this to the sun. The preferableness of summer, as exemplified in the case of Beishma, who awaited the return of that auspicious season to die, does not concern the devout worshipper, who has practised religious exercises in contemplation of Brahme, as inculcated by the *védas*, and has consequently acquired knowledge. But it does concern those who have followed the observances taught by the *Sānc’hya Yōga*; according to which, the time of day and season of the year are not indifferent.

The route deduced from the tenour of texts compared, and from divers considerations set forth, is by a solar ray to the realm of fire; thence to the regents of day, of the semilunation, of the summer six months, of the year; and thence to the abode of gods; to air or wind, the regent of which forwards the journeying soul from his precincts, by a narrow passage compared to the nave of a chariot wheel, towards the sun: thence the transition is to the moon, whence to the region of lightning, above which is the realm of Varun’a, the regent of water; for lightning and thunder are beneath the rain-cloud and aqueous region: the rest of the way is by the realm of Indra, to the abode of Prajapati or Brahme.

Liberation (*mukti*) is of two sorts, incorporeal and corporeal; in the former, which is its proper sense, it signifies final deliverance and absorption; in the latter sense it is employed to denote that liberation which appertains to a yōgi, whereby a soul may be conducted to Brahme without being divested of a corporeal frame, though it be subtle. In the former case, there is no return of the soul from the divine essence; in the latter, the soul is not identified with Brahme, and though exempted from transmigration during the subsisting calpa, may be sent back at a future renovation of worlds (according to some commentators), unless by special favour of the Deity.

Mr. Colebrooke subjoins to his analysis an admirable summary of the principal and essential tenets of the Védānta, which he thus concludes:

Questions most recondite, which are agitated by theologians, have engaged the attention

tion of the *védāntins* likewise, and have been by them discussed at much length ; such as free-will (*svātantrya*), divine grace (*ś'wara-prasāda*), efficacy of works (*carman*) or of faith (*śradhā*), and many other abstruse points.

On the last-mentioned topic, that of faith, nothing will be found in the text of Bādarāyaṇ'a, and little in the gloss of Ś'ancara. Its paramount efficacy is a tenet of another branch of the *Védānta* school, which follows the authority of the *Bhagavad-gītā*. In that work, as in many of the *Purāṇas*, passages relative to this topic recur at every turn.

The fruit of works is the grand subject of the first *mīmāṃsā*, which treats of religious duties, sacrifices, and other observances.

The latter *mīmāṃsā* more particularly maintains the doctrine of divine grace. It treats of free will, which it in effect denies ; but endeavours to reconcile the existence of moral evil under the government of an all-wise, all-powerful, and benevolent providence, with the absence of free will, by assuming the past eternity of the universe, and the infinite renewals of worlds into which every individual being has brought the predispositions contracted by him in earlier states, and so retrospectively without beginning or limit.

The notion, that the versatile world is an illusion (*māyā*), that all which passes to the apprehension of the waking individual is but a phantasy presented to his imagination, and every seeming thing is unreal and all is visionary, does not appear to be the doctrine of the text of the *Védānta*. I have remarked nothing which countenances it in the *sūtras* of Vyāsa nor in the gloss of Ś'ancara, but much concerning it in the minor commentaries and in elementary treatises. I take it to be no tenet of the original *Védāntin* philosophy, but of another branch, from which later writers have borrowed it, and have intermixed and confounded the two systems. The doctrine of the early *Védānta* is complete and consistent, without this graft of a later growth.

In preparing the former essays, Mr. Colebrooke tells us, he was not aware he was treading over ground which had been previously trodden (or rather skipped over) by the Rev. Mr. Ward. In the present essay, he has pointed out some most egregious and hardly excusable errors made by that writer, which must, we apprehend, greatly lessen the confidence of the public in theories deduced mainly from his authority. We shall subjoin one of Mr. Colebrooke's notes on this subject :

Mr. Ward has given, in the fourth volume of his *View of the History, Literature, and Mythology of the Hindus* (third edition), a translation of the *Védānta-sāra*. I wish to speak as gently as I can of Mr. Ward's performance ; but having collated this, I am bound to say it is no version of the original text, and seems to have been made from an oral exposition through the medium of a different language, probably the Bengalese. This will be evident to the oriental scholar on the slightest comparison : for example, the introduction, which does not correspond with the original in so much as a single word, the name of the author's preceptor alone excepted ; nor is there a word of the translated introduction countenanced by any of the commentaries. At the commencement of the treatise, too, where the requisite qualifications of a student are enumerated, Mr. Ward makes his author say, that a person possessing those qualifications is heir to the *vēda* (p. 176). There is no term in the text, nor in the commentaries, which could suggest the notion of heir ; unless Mr. Ward has so translated *adhicāri* (a competent or qualified person), which in Bengalese signifies proprietor, or, with the epithet *uttara* (*uttarādhicāri*), heir or successor. It would be needless to pursue the comparison further. The meaning of the original is certainly not to be gathered from such translations of this and (as Mr. Ward terms them) of other principal works of the Hindus, which he has presented to the public.

The second paper in this collection is a "Description of the ruins of Buddha Gāya," by Dr. F. Buchanan Hamilton. These ruins are in Bihar, and situated a few hundred yards west of the Nitajan river, in a large plain ;  
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the city was "probably," says Dr. Hamilton, "at one time, the centre of religion in India and the residence of a powerful king." It is now in possession of Sannyasis (the Mahanta inhabiting the great temple and convent), and the Bauddha sect has become extinct in its vicinity. These Sannyasis seem tinctured a little with the notions of Buddhism, and worship the numerous images, reconciling the act to their consciences by giving orthodox names to them, and by considering Mahāmuni as an incarnation of Vishnu, as expressed in an inscription found at Buddha Gāya, and of which a translation has been published in the *As. Res.* vol. i. p. 284. This inscription (which does not now exist in the place) Dr. Hamilton has no doubt is modern, composed by some person of the sect of Vishnu to justify the worship paid here.

The ancient ruins consist of bricks covered with soil, on which two modern temples have been erected, one dedicated to Jagannāt'h. There are traces of a ditch, an outer wall or rampart, with the appearance of a ditch between this wall and the rājasthān or palace. The relics of the great temple, called Mahā-buddha by some messengers sent to visit it from the king of Ava, are mostly reduced to irregular heaps of brick and stone, extending about 800 feet from east to west, and 480 feet from north to south. At the north-east end the heap forms a terrace, at the east corner of which an excavation was made in 1811, in order to procure materials for building, when the workmen laid open a chamber of brick, forming a cube of about twenty feet, without window, door, or stair, supposed by Dr. Hamilton to be a tomb intended for the reception of bones or ashes of the dead. South from this terrace has been a large range of buildings, of which there remain only heaps of broken bricks and images: one of the latter, which is very large and curious, has been deposited in the East-India Company's museum, as are many other figures and inscriptions taken from this place.

The great Mandir, or shrine, is the only part of the temple which remains entire. It is a slender, quadrangular pyramid of great height, but its summit is broken. A stone with the impression of Buddha's foot, evidently taken from another part of the ruins, is lying near the porch of the great shrine; round it many images have been heaped, several with inscriptions, invoking Buddha, but mentioning no person's name. A stair from each side of the porch led up to a terrace surrounding the spire, and affording a fine walk round the temple, leading to the second story of the shrine, and to a large area behind, where is a celebrated pīppal tree, which is an object of worship, as it is supposed by the orthodox to have been planted by Brahma, but which the votaries of Gautama say was planted by Dugdha-Cāmini, king of Singhal-dwīp (Ceylon) about 400 years before Christ. Dr. Hamilton supposes its age to be 100 years; it is in full vigour.

The Mandir has been covered with plaster, some remains of which shew that it has been subdivided into numberless projecting corners, petty mouldings, and niches, each containing the image of a Buddha in plaster; and on each projecting corner has been placed a stone somewhat like a bee-hive, having a Buddha carved on each of its four faces, with a hole in the top for incense. The number of such now scattered over the country is almost inconceivable. The porch has always been small; and since it fell, some persons have cleared away the ruins and constructed a gate of the fragments. The shrine or cavity in the Mandir that is on a level with the ground, and the entrance to which was through the porch, is small, and covered with a Gothic arch, the plaster-work on which has been divided into small compartments, each containing an image of a Buddha. The whole far end of the chamber has been occupied by a throne of stone (*singhasan*) in a very bad taste, and which has been disfigured by a motley row of images taken from the ruins, and built on its front, so as to hide parts of the deity.

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This is a monstrous mis-shapen daub of clay, and has been well enough represented in a drawing published, if I recollect, by the late Col. Symes. The extreme rudeness of this image may, perhaps, be considered as proof of great antiquity; and this may have been the original image placed here in the time of Gautama, round which the temple has been constructed. There is, however, current a tradition of the original image having been gold, and of its having been removed by the Muhammedans; so that the present image is supposed to have been made after the sect had undergone persecution, and could no longer procure workmen capable of making a decent substitute.

The number of images at Buddha Gáya is very great; and many of the numerous idols of the Hindus for several coss around appear to have been procured from thence. "It is evident, indeed, that the people are totally careless in this respect, worshipping males by the names of females, and female images for male deities."

A converted Sannyasi at Buddha Gáya stated to Dr. Hamilton that the Baudddhas worship none of the images besides those of the four munis or law-givers; and Dr. H. adds: "I think it probable that most of the images of the Buddhas have been intended to represent the great multitude of such personages as have in former revolutions of the world obtained everlasting bliss, and were never intended to be worshipped, nor even revered."

Dr. B. Hamilton's paper is followed by "Observations concerning the Small-Pox and Inoculation in Eastern Countries, with some Account of the introduction of Vaccination into India;" by Dr. Ainslie. This is a paper by no means without interest to the unprofessional and unscientific reader; it contains many curious facts respecting the early history of that dreadful malady, the small-pox, or *emphyesis variola*. Its existence in the East long before it was observed in Europe is a fact no longer doubted. It is conjectured to have originated in India, where temples are dedicated and rites consecrated to the deity or deities (for there are many) supposed to preside over this plague, which ravaged and depopulated whole districts. A Chinese treatise on this disease mentions the year 1122 B.C., as the date of its introduction into China. It was brought into Egypt by the Saracens, and imported by the Crusaders into Europe. The date of its introduction thither is, however, very uncertain. The first author who referred to this malady, was Aaron of Alexandria, a distinguished author in the time of Mahomet, according to Rhazis (Al-Razi), who treated professedly of small-pox and measles early in the tenth century, in a work extant in Latin.

Although, as Dr. Ainslie remarks, how the small-pox could have been at first originated, sets all conjecture at defiance, yet Providence has furnished us with two powerful weapons to combat it, *inoculation* and *vaccination*. The former, he conceives, was known and practised in Asia at a very remote period, though it does not appear to have been popular in India, where it is practised by a lower order of Brahmens.

The vaccine disease is not at present found on cows in India, any more than that affection of horses' heels, denominated *grease*, which (according to Dr. Jenner) is equally efficacious with the vaccine disease in guarding the human frame from variolous contagion. Dr. Ainslie quotes a passage from an ancient Sanscrit work, named *Sacteya Grantha*, attributed to Dhanwantari, which contains the following rule for inoculation for the small-pox.

Take the fluid of the cow-pox on the udder of a cow, or on the arm between the shoulder and the elbow of a human subject, on the *point* of a lancet, and lance with it the arms between the shoulder and elbow until the blood appears; then mixing the fluid with the blood, the fever of the small-pox will be produced.

Vaccine matter was transmitted to India, through the unremitting efforts of foreign European physicians, in the first instance to Ceylon, and thence to Madras, from which place it was dispersed far and wide by the active exertions of Lord Clive, aided by Dr. James Anderson, then physician general. "I hesitate not to say," adds Dr. Ainslie, "that had it not been for the example and assiduity of this enlightened and amiable man (Dr. Anderson), cordially assisted and encouraged as he was by the supreme authority, the *variola vaccinae* would in all probability have long before this expired, amidst the hot winds, indolence, or other *local* obstacles peculiar to the regions of the torrid zone."

The perverse prejudices of the Hindus have a good deal impeded the propagation of vaccination in India; these prejudices are, however, gradually giving way. Meantime it is making rapid progress in other parts of the East, Persia, China, Ceylon, Java, Sumatra, and Manilla. A short treatise on the cow-pox, written by Mr. A. Pearson, of Canton, has been translated into Chinese by Sir George Staunton for distribution through the empire of China.

We may here observe that it appears from a communication recently made to the Academy of Sciences at Paris, from Dr. Pagès, a medical practitioner in the mountainous district of Viana, in Navarre, that a species of small-pox has just appeared there, which bears no resemblance to any hitherto described. It attacks equally those who have been vaccinated and those who have not. Although he (Dr. Pagès) was completely vaccinated in his infancy, he was not himself exempt from the attacks of this new disease. We are probably, as he thinks, still ignorant of many anomalies in the history of the small-pox.

The next paper is "A Description of the Agriculture and Revenue Economy of the Village of Pudu-vayal," in the Carnatic, about thirty miles from Madras; by Mr. Hodgson. The object of Mr. Hodgson is to shew the internal revenue economy of a Hindu village that has never been under the direct control of any European officer, in order to exhibit a fair specimen of ancient usages in the south of India, the proportion of the produce, taken as land revenue, the rights of the parties paying revenue and those of the sovereign's grantee, who is entitled to collect it. The reader will find a brief analysis of this paper in our twenty-fourth volume, p. 71, to which we would add that it contains some very curious and interesting facts in regard to the tenures and mode of transfer and cultivation of lands in the south of India. A table is subjoined shewing the extent of cultivation of the wet and dry lands respectively, the gross produce, the government share and its value in money, together with the reserved rent, charges, and net profit of the village in question, for thirty years, ending 1813.

The two succeeding papers are by Mr. Davis, of Canton; the first consists of extracts from Peking *Gazettes*; the last is a geographical notice of the frontiers of the Burmese and Chinese empires, accompanied by a sketch of a Chinese map. Of the former paper we shall merely say that the extracts contain nothing remarkable. The geographical notice is curious. Upon comparing the western part of Yun-nan province, as it is represented upon the Chinese map, with the Burmese territories to the eastward as laid down in a map recently published at Calcutta, from information obtained in Ava, there appears a considerable degree of correspondence between them. "The great river Loo-keang forms, according to both maps, the boundary of the Chinese empire from lat. 27° to 26°, where it enters Yun-nan province, and issuing from it again about lat. 24°, proceeds nearly due south. Serving, during a considerable part of its course, as the boundary line of Ava and Siam, it empties  
itself

itself into the sea below Martaban, after performing a course of more than 660 geographical miles." The relative positions of the two great rivers, the Pin-lang, and Lung-chuen, are pretty much the same in both maps, but they do not at all agree in the positions of the towns or stations on their borders.

Some detached notes relative to the Yun-nan province, by Père l'Amiot, a French missionary, are appended to Mr. Davis's memoir. They describe the province as mountainous and unhealthy, from which cause a severe loss was sustained by the Chinese, independently of the resolution of the natives, before it could be subjected to the imperial government, which was in comparatively recent times. The mountain named Poo-urh, near the city of that name, situated in long. about  $101^{\circ}$  E., lat. about  $23^{\circ} 15'$  N., is celebrated for a kind of tea which is produced there and brought to Peking for the emperor's use. The province is rich in mines. South-west of Yun-nan-foo, some twenty or thirty days' journey, is the country of the aborigines of the province, who still choose their own chiefs, acknowledging and paying a tribute to the emperor.

The next paper is an extremely interesting autobiographical memoir of the early life of Nana Farnevis, the friend and minister of the Peishwa Madhu Rao the Great. It is translated from the original Mahratta by Lieut. Col. John Briggs, late resident at the court of Satara. We gave a pretty extended notice of this paper in our report of the proceedings of the Society in April last,\* and shall not, therefore, by attempting to epitomize the narrative, mar the interest of a work which, we agree with Col. Briggs in thinking, is "one of the most remarkable productions of oriental literature." The original, from whence this memoir is translated, was in Nana's own handwriting. Col. Briggs subjoins to his translation the following reflections :

Having finished this remarkable narrative, it seems incumbent on me to make some observations on its character. No one can doubt, who has attended to the beautiful introduction of this piece of biography, that its author had very sublime ideas of the nature of the Deity, whom he represents as 'The Only One—The Spirit,' who pervades all space, being every where present at the same moment, and omnipotent. This is, in fact, the true and original basis of the Hindu religion, though, like others which profess a belief in one God, it has in the course of time dwindled into the grossest idolatry. Polytheism received its first shape when the attributes of the 'Only One' became personified in his character of Creator, Preserver, and Destroyer, and mankind conceived that in worshipping symbols of his power in these several capacities, they were likely the more readily to attain the objects of their prayers. In order therefore to propitiate the Deity in his character, either of Maha Deva, Vishnu, or Siva, the people made vows to render offerings to their temples in cases of success. In order to confer additional sanctity on these proceedings, priests became requisite, and idols were manufactured at their suggestion, representing the pure divinity in a fanciful personification. The transition from the worship of material resemblances of a divinity to that of eminent and worthy princes, who had gained the hearts of their subjects, was simple, and accorded with the wishes of the people. So that after the death of their heroes, we may easily imagine how natural it was for the Hindus to place Rama, Lacshman, Hanuman, and Crishna (no doubt once real characters) among the number of their gods. It is thus, therefore, I think, we may account for the existence of the Hindu Pantheon of the present day. That some respect for the character of these demi-gods prevails, even among the better classes of the Hindu nation, at this moment, cannot be denied; but that learned brahmins and men well-informed, who are otherwise intelligent, worship them with any degree of faith, may very fairly be doubted; while it would appear that Nana Farnevis had no such faith, even when a boy. The whole tenour of the manuscript I have translated proves that the belief in which he had been brought up taught him

\* See vol. xxv. p. 627.



him to place his whole reliance on the 'Only One.' It was on him he was accustomed to call in the hour of danger and in the day of battle, when all hope was lost. It was in him he placed his whole trust and confidence, when unarmed he fell into the hands of the sanguinary and relentless enemy. It was on him he called when, tossed by the waters, the vessel was almost sure of being dashed against the rocks; and it was to him, in his character of Vishnu the preserver, that he offered up his thanks and devotions when he was almost miraculously snatched from the perils by which he was surrounded.

In the ensuing paper, which is also a translation by Col. Briggs from the Mahratta, consisting of secret correspondence of the court of Madhu Rao, he intimates the probability of his writing, at some future period, the life of Nana-Farnevis, a vast number of whose private and confidential papers having fallen into his hands. Meanwhile, these letters elucidate the conduct of that individual during his long and arduous official career, as well as the secret springs which influenced the actions of his sovereign.

Col. Briggs has prefaced the letters with an able sketch of the political condition of the Mahrattas at the accession of Madhu Rao in 1761, chiefly from Grant Duff's *History of the Mahrattas*. He then connects the letters by a narrative of the events which gave occasion to them. One letter from Madhu Rao to Nana Farnevis, dated 22d November 1770, when he had rejoined the army employed against Hyder Ali, is worth quoting as an evidence of the character of the writer and of his great confidence in Nana. It is described by Col. Briggs as evidently written in great agitation, several words being left out, the usual lines connecting the words being omitted; and in short, altogether unlike Madhu Rao's usually clear style:

In consequence of my not having been able to see you before I marched, you were obliged to entrust what you had to say to Hari Pant. It does not in the least signify; I know your disposition towards me, and I feel assured that you will act for me in my absence with the utmost zeal and fidelity. Professions on your part are quite unnecessary to convince me of this. You recollect there were three or four points we discussed, four or five days since, which were not to be made known to others, and which you will of course not mention. You spoke out to me on that occasion without reserve, and I replied with the same degree of confidence, but it must go no farther. I repeat it, this must never be spoken of. Conceal nothing from me in my absence of what you may learn. Write to me with confidence. Speak out boldly. Conceal nothing I entreat you: what I write to you, I shall do with perfect reliance that it will not be spoken of to any one. Maintain the same good faith you have ever done. I have never been so plain with any one before; your business is not now confined to one point; I shall rely on you, not only for information, but also for advice on all subjects. I feel convinced you will advise what is right. A hint from you will suffice to enable me to act, as I am assured you will recommend nothing but what is proper.

I shall frequently apply to you on points that I could not venture to trust to any other person; and as I find my confidence is repaid, so shall I apply to you without hesitation. We are bound to each other by the most solemn oaths to reveal nothing of what passes between us.

With regard to the questions I have left for you to consider, when I hear your opinion I shall avail myself of any hints you may give, and issue the necessary instructions.

Destroy this letter the instant you have read it.

Madhu Rao died on the 18th November 1772, aged 28. His will, dated at Tewur, 30th August preceding, is extant in the hand-writing of Nana Farnevis, and is not the least curious document in this collection.

Col. Briggs concludes his paper with the following observations:

It is, I think, impossible to read this interesting series of private documents, with-

out confessing, that, in Europe, we are still but imperfectly acquainted with the natives of our eastern empire. Nay, I am of opinion, that until an European quits the British territory in India, where every Englishman looks on himself as a master, and on the people rather as his dependents than as his fellow subjects, it is extremely difficult for him to know much of their domestic habits, or private character.

The individuals who moved on the scene which has been exhibited in the letters I have translated, lived within our own time. Some of them even are now alive : and the facts, to which the correspondence alludes, are fresh in the minds of the present generation. It should be recollected also, that up to that period the court of Poona had had little or no intercourse with Europeans ; so that the letters afford a fair sample of the materials which compose an Indian court, when left to itself. In this point of view, I consider these papers as singularly valuable and instructive ; and, as historical records, very important.

It has been my lot to pass a great part of my life in familiar intercourse with the natives of the east, and principally among those who have for the most part lived beyond the precincts of our jurisdiction ; and my notions of them are drawn from such sources. I have found the people, generally speaking, intelligent in a very high degree, though, from education, deficient in the knowledge of European history and sciences. They, however, are ready to admit their ignorance, and desirous of instruction. They are usually liberal in their opinions ; and the Hindus especially are tolerant on the subject of religion : for though tenacious of any interference in the exercise of their own, they oppose no worship or custom which does not affect themselves. Among their domestic virtues, I should class affection and tenderness to their relatives ; kindness to their domestics ; integrity in their dealings with each other ; hospitality to strangers ; and charity to the distressed and poor. Among the upper classes I have found refined notions of delicacy of conduct and manners ; and among statesmen and financiers, I have occasionally met with enlarged views of policy, and a knowledge of the principles of statistics and political economy, that would not disgrace the ministers of any government.

I believe that at this moment, India contains natives who would do honour to any country : men who are capable of rendering themselves eminently useful to our government, not only by their intelligence and information, but by the weight which their influence would bring into our administration. They deserve to be more highly estimated, to be treated with more confidence, to be better rewarded, and to receive higher distinctions and consideration, than they usually meet with from us.

Of the merits of Mr. Colebrooke's paper "on Hindu Courts of Justice," which is the succeeding article, our readers will have been already enabled to judge, as we inserted the whole of it (except the appendix) in our last number. It is a valuable accession to our knowledge of ancient Hindu institutions.

"Notices of Western Tartary," from some notes by Père l'Amiot, the Jesuit missionary, who resided for thirty years at Peking, furnished by him to Mr. Davis, of Canton, are the subject of the next article. After a description of Sy-yu, the seat of the late war, from a Chinese statistical work, M. l'Amiot adds :—

The conquest of Sy-yu, which immortalized Kéen-lung, cost him a prodigious sacrifice of men and money. What efforts was he obliged to make to transport the Chinese armies more than a thousand leagues by land ! Such is the character of the present war.

Sy-yu, situated in a temperate climate, has derived great advantages from that circumstance, as well as from the character of its inhabitants, and the value of its productions. Kéen-lung esteemed the place highly ; he sent there colonies of Tartars, he encouraged emigration thither, and augmented the number of military cultivators of the soil. He did not give his daughters to these barbarians, as he did to the Mongol princes ; but in other respects he neglected nothing to conciliate and to subject them. He derived few supplies from thence, and gave more than he received. In short, Sy-yu,

yu, partly purchased, has never been completely subjected. The chiefs, from their proximity to Russia, keep up a connexion with both sides; the frontiers were never clearly ascertained, and disputes have continually occurred between the two powers, which have terminated in favour of the Russians. Last year, I read in a *Peking Gazette* that these tribes being in the habit of plundering the Chinese cultivators, the emperor had presented them with a quantity of millet, corn, &c. to effect a peace. Thus the Chinese acknowledge their weakness, and their adversaries, feeling their strength, cast off the yoke. The result has been a terrible war productive of great expense to China. The *Peking Gazette* speak only of victories; according to public rumour, the empire is in danger. There are exaggerations on both sides. The real facts are these, which may show the true state of things: the emperor is continually sending supplies of troops and money, so that much remains still to do; the insurgents defend themselves vigorously in their own country, but have made but little progress towards the empire; E-le, the chief place, continues in possession of the Chinese. I do not think China can be attacked on this side; there are more than a thousand leagues of desert and mountains to pass, and the people of Shan-see and Shen-see (the northern provinces) to fight, who are the best soldiers in China. The Yuens, who conquered China, came (partly) from Sy-yu, but they were aided by hordes of Mongols, and Chinese refugees: yet the times have much changed since then.

The insurgents may advance more easily by way of Tibet, and the English territories which adjoin Tibet. This is perhaps their design, for, according to the *Peking Gazette* it appears that the province of Sze-chuen has taken up arms. History proves that they are unable to resist the power of China; but if, as it is reported, they are aided by the Russians, they will never be subjected.

These notices, from so experienced a person, throw some light upon the real condition of this extensive empire.

The succeeding paper is "Some Account of the Ruins of Ahwuz," an ancient and once celebrated city, situated about 100 miles from Bussorah, on the banks of the river Karun; by Lieut. Mignan of the Bombay army, with notes by Capt. Taylor, the resident at Bussorah. These ruins are of prodigious extent, reaching ten or twelve miles in one direction; in fact, none of the inhabitants of the modern town appeared to have been at the end of them. They consist mostly of mounds, covered with hewn stone, burnt brick, and pottery; in many parts flights of steps are discernible; in every direction Lieut. Mignan met with vast heaps of circular flat stones, perforated in the centre, some six feet in diameter, and exhibiting characters upon them. An immense pile of materials, 150 feet high, consisting of stone, brick, and tile of various colours, was called by the Arab guides the *kasr*, or palace. On the summit are floorings of stone, with rounded troughs of Persepolitan marble. About half a mile from this edifice, is a circular mound, 200 yards in circumference, with a wall of masonry at its base, the face of which is perfect and unbroken. Several mounds form one connected chain of rude, unshapen flaked rock, lying in naturally formed strata, though apparently brought thither from a distance, as the soil in which the ruins rest appears peculiarly soft and sandy, and the country does not begin to be rocky till the immediate vicinity of Shuster, nearly fifty miles distant. "Let me not be supposed to exaggerate," says Lieut. Mignan, "when I assert, that these mountains of ruin, irregular, craggy, and in many places inaccessible, rival in appearance those of the Bucktiani chain, and are discernible from them and for nearly as many miles in an opposite direction." Many of the burnt bricks on the surface of the mounds appear to have borne some written character, which the weather has nearly effaced; but the character on the hewn stone is fresh and plain. Notwithstanding that the materials are being constantly removed for building by the Arabs, the quantity is so vast, that Mr. Mignan

says,

says, "I am perfectly convinced that as large a city as any now existing may be erected from the ruins that I saw."

Capt. Taylor, in the notes appended to this paper, has adduced a variety of notices from Musulman writers, regarding this city, the name of which occurs very early in the annals of Islam. "The specimens of its architectural decoration, brought from the ruins by Lieut. Mignan," he observes, "are decidedly Moslem, bearing inscriptions in no character but the early Cufic, nor language other than the Arabic: a remark equally applicable to the coins and gems usually found there; with the exception of a few small intaglios on cornelian or oriental onyx, the only evidences of an antiquity more remote than the era of Muhammed. All these circumstances would appear to lead to one of two conclusions: either that the remains now seen are those of a city founded by the first khalifs of the Omniade dynasty, or that additions had been made to the edifices already erected by the Persians on a site older than the epoch of the advance and victories of the adherents of Islam. The zenith, however, of its prosperity was attained under the earlier khalifs of the house of Abbas; nor did it long survive their fall."

There follows a very ingenious and able essay "on the best means of ascertaining the Affinities of Oriental Languages," by Baron William D'Humboldt, in a letter addressed to Sir A. Johnston, with reference to a memoir of Sir Jas. Mackintosh respecting the affinity of languages, which, we believe, was published in the *Transactions* of the Bombay Society.

The following passage from the Baron's letter, though it be long, we insert entire, because it develops clearly and succinctly, his view of the true method of proceeding in the collation of languages:

I confess that I am extremely averse to the system which proceeds on the supposition that we can judge of the affinity of languages merely by a certain number of ideas expressed in the different languages which we wish to compare. I beg you will not suppose, however, that I am insensible to the value and utility of these comparisons: on the contrary, when they are well executed, I appreciate all their importance; but I can never deem them sufficient to answer the end for which they have been undertaken; they certainly form a part of the data to be taken into account in deciding on the affinity of languages, but we should never be guided by them alone, if we wish to arrive at a solid, complete, and certain conclusion. If we would make ourselves acquainted with the relation which subsists between two languages, we ought to possess a thorough and profound knowledge of each of them. This is a principle dictated alike by common sense and by that precision acquired by the habit of scientific research.

I do not mean to say, that, if we are unable to attain a profound knowledge of each idiom, we should on this account entirely suspend our judgment; I only insist on it that we should not prescribe to ourselves arbitrary limits, and imagine that we are forming our judgment on a firm basis, while it is in reality insufficient.

The method of comparing a certain number of words of one existing language with those of several others, has always the two-fold inconvenience of neglecting entirely the grammatical relations, as if the grammar was not as essential a part of the language as the words; and of taking from the language which we wish to examine isolated words, selected, not according to their affinities and natural etymology, but according to the ideas which they express. Sir James Mackintosh very justly observes, that the affinity of two languages is much better proved when whole families of words resemble each other, than when this is the case with single words only. But how shall we recognize families of words in foreign languages, if we only select from them two or three hundred isolated terms? There undoubtedly subsists among words of the same language an analogy of meanings and forms of combination easy to be perceived. It is from this analogy, considered in its whole extent, and compared with the analogy of the words of another language, that we discover the affinity of two idioms, as far as it is recognizable

recognizable in their vocabularies. It is in this manner alone, that we recognize the roots and the methods by which each language forms its derivatives. The comparison of two languages requires, that we should examine whether, and in what degree, the roots and derivative terms are common to both. It is not, then, by terms expressive of general ideas; such as sun, moon, man, woman, &c., that we must commence the comparison of two languages, but by their entire dictionary critically explained. The simple comparison of a certain number of words, by reducing the examination of languages too much to a mere mechanical labour, often leads us to omit examining sufficiently the words which form the subjects of our comparison; and to avoid this defect, we are forced to enter deeply into all the minutiae of grammar, separating the words from their grammatical affixes, and comparing only what is really essential to the expression of the idea which they represent. The words, of which we seek a translation in different languages, often cannot be rendered except by a compound term. Thus the sun in some languages is called the father, the author, the star, &c. of day. It is evident, that, in these cases, we no longer compare the same words, but words altogether different. To conclude: it is impossible to form a correct judgment on the resemblance of sounds without having carefully studied the system of sounds of each of the languages which we would compare. There occur often between different languages, and still more frequently between different dialects, regular transformations of letters, by which we can discover the identity of words that at first view seem to have but a very slight resemblance in sound. On the other hand, a great resemblance of sound in two words will sometimes prove nothing, or leave the judgment in great uncertainty, if it be not supported by a train of analogies for the permutation of the same letters. What I have remarked proves, as I think, that even if we confine ourselves to the comparison of a certain number of words in different languages, it is still necessary to enter more deeply into their structure, and to apply ourselves to the study of their grammar. But further, I am quite convinced that it is only by an accurate examination of the grammar of languages that we can pronounce a decisive judgment on their true affinities.

Languages are the true images of the modes in which nations think and combine their ideas. The manner of this combination represented by the grammar, is altogether as essential and characteristic as are the sounds applied to objects, that is to say, the words. The form of language being quite inherent in the intellectual faculties of nations, it is very natural that one generation should transmit theirs to that which follows it; while words, being simple signs of ideas, may be adopted by races altogether distinct. If I attach great importance, however, under this view, to the grammar of a language, I do not refer to the system of grammar in general, but to grammatical forms, considered with respect to their system and their sounds taken conjointly.

The Baron then illustrates his principles by examples from oriental and European tongues.

A portion of Mr. B. H. Hodgson's "Sketches of Buddhism," which is the succeeding article, appears separately in a preceding part of our journal for this month. Every contribution to the knowledge we possess respecting Buddhism and Bauddha people, is extremely valuable, for our information on these subjects is yet in a backward state, although Buddhism holds in subjection so considerable a part of Asia. The particulars furnished by Mr. Hodgson are by no means calculated to render further contributions superfluous; on the contrary, curious and valuable as they are, we find among them many inconsistencies with preceding authentic statements, many difficulties which appear irreconcilable, and some apparent mistakes. It is evident that in every country where Buddhism is established, certain modifications of its doctrines and traditions have been introduced, which exhibit it under very diversified forms.

The plates, which accompany Mr. Hodgson's paper, representing various figures

figures of Buddhas, Bóddhi-satwas, &c. (some of which are quite new to us), elevations, sections, and interiors of temples in Nipal, taken by a Nipalese painter, are curious.

The ensuing paper is "An Account of the Sculptures and Inscriptions at Mahámalaipur," or the Seven Pagodas, by Mr. B. G. Babington, the secretary of the Society, very fully illustrated by no less than eighteen lithographic plates of the sculptures and characters contained in this remarkable relic of Hindu antiquity.

Mr. Babington refers to the descriptions already given of these remains, by Mr. Chambers and Mr. Goldingham, in the first and fifth volumes of the *Asiatic Researches*, which, with his own drawings, carefully made on the spot by Mr. Andrew Hudleston and himself, will give a just notion of the principal sculptures.

His remarks upon the inscriptions are curious and valuable. Besides a scrap of modern Telugu, he noticed three kinds of characters at Mahámalaipur, two of which have remained hitherto undecyphered. The first occurs in a fragment of an ancient Tamul inscription, recording a grant of a quantity of land to the Varáha Swámi pagoda, attested by witnesses, and mentioning the name of the donor. A second kind of character appears on a small monolithic pagoda, formerly dedicated to Siva, now to Gánésa, which a Jain Bráhma-man, in the employ of the late Col. Mackenzie, accustomed to ancient characters, decyphered, and found the language to be Sanscrit. Mr. Babington gives a translation of ten slokas of this inscription, which consist of a string of aspirations to Siva.

Since this inscription was copied, Mr. Babington has received from Madras four inscriptions, purporting to be from the neighbourhood of Mahámalaipur, affording three characters distinct from those observed by him, agreeing together precisely in the matter, and corresponding also, with a few variations of sense and arrangement, with the inscription on the wall of the Gánésa pagoda just mentioned. "These inscriptions are peculiarly valuable," observes Mr. Babington, "as giving us at once four different kinds of Sanscrit writing, whereof two are, in my opinion, ancient forms of the Grantha, or that character in which Sanscrit is invariably written in the south of India, and in which alone I was able to procure books for study at Madras." From the same matter being thus expressed in a diversity of character, he is led to think it probable that the inscription was a sort of general proclamation (though the subject-matter of it hardly supports this conjecture), modified to adapt it to local circumstances.

A third kind of character at Mahámalaipur (a sixth, including those last-mentioned) is seen in the inscriptions over certain *basso-relievos*; no native of India has ever been able to decypher these inscriptions, or even to offer any conjecture as to the language in which they are written. The enigma has, however, been solved by Mr. Babington, who, by assuming the language to be Sanscrit, succeeded in decyphering the whole of the inscriptions. A *fac-simile* of the character, with the corresponding Sanscrit letters, is given in one of the plates; but we confess it demands some stretch of faith in the skill and experience of Mr. B. in these matters to be satisfied that he has really succeeded. He adds the following remarks:

These inscriptions, and those at Kenerah in the island of Salsette, one of which, with the modern Sanscrit, and a translation, I laid before the Society on a late occasion, are perhaps the most ancient, at least the most dissimilar from characters at present in use, which I have met with; and I think myself therefore warranted in concluding

cluding that there are no inscriptions of Hindu origin to be found in India, which may not, by attentive study, be decyphered, and by the assistance of learned natives, afterwards interpreted.

The next paper is a very long, but a very interesting disquisition "On the Religious Establishments of Méwar, in Rajpútana, by Lieut. Col. Tod, who has not only furnished a very copious collection of facts regarding the ecclesiastical history and the superstitions of the Rajpúts, but has illustrated his subject by a multitude of references to analogous customs in the West, and by some very curious etymological data. Unfortunately, we have already more than exhausted the space customarily devoted to this department of our journal, and for this reason, as well as from the abundance and variety of the contents of Col. Tod's paper, we are precluded from doing ample justice to its merits.

The writer begins by remarking the extent to which alienations of lands for religious purposes have been carried, more particularly in modern times, in Rajpútana, where "there is scarcely a state in which at least one-fifth of the soil is not assigned for the support of temples, their ministers, the secular brahmans, bards, and genealogists," whence some of the finest land remains unproductive. It appears, moreover, that of late years, when land has been assigned to religious establishments, no reservation has been made, even of fiscal rights. The priesthood are not content with the advantages which their sacred character affords them, for the attainment of their exorbitant desires; they have also recourse to fraud:

In the dark ages of Europe the monks are said to have prostituted their knowledge of writing to the forging of charters in their own favour: a practice not easily detected in the days of ignorance. The brahmans, in like manner, do not scruple to employ this method of augmenting the wealth of their shrines; and superstition and indolence combine to favour the deception. There is not a doubt that the grand charter of Nat'h-dwara was a forgery, in which the prince's butler was bribed to aid; and report alleges that the Rana secretly favoured an artifice which regard to opinion prevented him from overtly promulgating. Although the copper-plate had been buried under ground, and came out disguised with a coating of verdigrise, there were marks which proved the date of its execution to be false. I have seen charters which, it has been gravely asserted, were granted by Rama upwards of 3,000 years ago! Such is the alleged origin of one found in a well at the ancient Brimpúri, in the valley of Udyapúr (Oodipoor). If there be sceptics as to its validity they are silent ones, and this copper-plate of the brazen age is worth gold to the proprietor. A census of the three central districts of Méwar discovered that more than 20,000 acres of these fertile lands, irrigated by the Beris and Bunas rivers, were distributed in isolated portions, of which the mendicant (Mangta) castes had the chief share, and which proved fertile sources of dispute to the husbandman and the officers of the revenue. From the mass of title-deeds of every description by which these lands were held, one deserves to be selected, on account of its being pretended to have been written and bestowed on the incumbent's ancestor by the deity upwards of three centuries ago, and which has been maintained as a *bonâ-fide* grant of Crishna ever since.

Col. Tod proceeds to consider the respective privileges of the Saivas, the Jainas, and the Vaishnavas of Méwar, the former of whom are the orthodox sect; Siva, or Mahádeva, under the name of Eklinga, being the tutelary divinity of the Méwaris, and worshipped by them, either under the phallic symbol, or lingam, or as Iswara Chaomúkhi, the quadriform divinity. The shrine of Eklinga is an objet of peculiar sanctity; it is situated in a defile about six miles from Udyapúr, and is endowed with twenty-four large villages from the royal fisc, besides parcels of land from the chieftains.

Of the Jains, Col. Tod thus speaks :

The numbers and power of these sectarians are little known to Europeans, who take it for granted that they are few and dispersed. To prove the extent of their religious and political power, it will suffice to remark, that the pontiff of the *Khartra-gatcha*, one of the many branches of this faith, has 11,000 clerical disciples scattered over India ; that a single community, the *Ossi* or *Oswal*, numbers 100,000 families ; and that more than half of the mercantile wealth of India passes through the hands of the *Jain* laity. *Rajast'han* and *Saurashtra* are the cradles of the Buddhist or *Jain* faith, and three out of their five sacred mounts, namely, *Abu*, *Palit'hana*, and *Girnar*, are in these countries. The officers of the state and revenue are chiefly of the *Jain* laity, as are the majority of the bankers from *Lahore* to the ocean. The *Nuggur-Sé'h* and *Chotias*, or chief magistrate and assessors of justice, in *Udyapúr* and most of the towns of *Rajast'han*, are of this sect ; and as their voluntary duties are confined to civil cases, they are as competent in these as they are the reverse in criminal cases, from their tenets forbidding the shedding of blood. To this leading feature in their religion they owe their political debasement : for *Komarpal*, the last king of *Anhulwara* of the *Jain* faith, would not march his armies in the rains, from the unavoidable sacrifice of animal life which must have ensued. The strict *Jain* does not even maintain a lamp during that season, lest it should attract moths to their destruction.

The *Jain* communities, he adds, possess mines of knowledge hitherto inaccessible to Europeans ; the libraries of *Jessúlmér*, in the desert of *Anhulwara*, the cradle of their faith, of *Cambay*, and other places, consist of thousands of volumes ; these are under the control, not of the priests alone, but of the most wealthy and respectable of the laity, and are carefully preserved in the crypts of their temples.

The most celebrated shrine of the *Vaishnavas*, is *Nathdwara*, twenty-two miles from *Udyapúr*, which offers nothing remarkable in its structure or situation ; but owes its celebrity entirely to the image of *Crishna*, " which is the same which has been worshipped at *Mathura* since his deification, between 1,100 and 1,200 years before Christ." The endowments of *Nathdwara* are prodigious ; the offerings to the temple include almost every luxury and delicacy throughout the East ; the spices of the Indian isles, the perfumes of Arabia, the frankincense of Tartary, the fruits of Persia, the shawls and silks of Cashmere and India, " with whatever is rare in art or nature, all contribute to enrich the shrine of *Nathdwara*."

The predominance of the mild doctrines of *Kaniya* over the dark rites of *Siva*, is doubtless beneficial to *Rajpút* society. Were the prevention of female immolation the sole good resulting from their prevalence, that alone would conciliate our partiality : a real worshipper of *Vishnu* forbids his wife from following him to the pyre, as did recently the *Búndi* prince. In fact, their tenderness to animal life is carried to nearly as great an excess as with the *Jains*, who shed no blood. Celibacy is not imposed upon the priests of *Kaniya*, as upon those of *Siva* : on the contrary, they are enjoined to marry, and the priestly office is hereditary by descent. Their wives do not burn, but are committed, like themselves, to the earth. They inculcate tenderness towards all beings ; though whether this feeling influences the mass, must depend on the soil which receives the seed, for the outward ceremonies of religion cost far less effort than the practice or essentials. I have often smiled at the incessant aspirations of the *Macchiavelli* of *Rajast'han*, *Zalim Sing*, who, while he ejaculated the name of '*Tríbhú*' as he told his beads, was inwardly absorbed by mundane affairs ; and when one word would have prevented a civil war, and saved his reputation from the stain of disloyalty to his prince, he was, to use his own words, " at four-score years and upwards, laying the foundation for another century of life." And thus it is with the prince of *Marwar*, who esteems the life of a man or a goat of equal value when prompted by revenge to take it. Hope may silence the reproaches of conscience, and gifts and ceremonies may



be supposed to atone for a deviation from the first principle of their religion—a benevolence which should comprehend every animated thing. But fortunately the princely worshippers of Kaniya are few in number. It is to the sons of commerce we must look for the effects of these doctrines, and it is my pride and duty to declare that I have known men of both sects, *Vishnuv* and *Jain*, whose integrity was spotless and whose philanthropy was unbounded.

An appendix contains translations of inscriptions illustrative of the contents of this valuable memoir.

The two last papers consist of “An Account of some Sculptures in the Cave Temples of Ellora,” with plates, by Capt. R. M. Grindlay; and remarks upon those sculptures, by Lieut. Col. Tod. We have only room to say, that the figures are beautifully executed, and that we concur with Capt. Grindlay in thinking that they will “probably be received as evidence that the art of sculpture formerly existed in India in a much higher state of perfection than is generally supposed.”

Upon the whole, we make no doubt that the orientlists on the Continent, as well as those of our countrymen who cultivate a knowledge of Eastern literature, will be highly gratified with this further pledge of the Society’s labours.

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*Letters from an Eastern Colony, addressed to a Friend, in the Years 1826 and 1827; by a Seven Years’ Resident. London, 1829. 8vo. pp. 248.*

These letters are descriptive of the island of Ceylon; the writer is apparently a civil servant in the colony; the person he addresses is a friend. All, however, are nameless; even the place from whence the letters are written can only be inferred to be Trincomalee. As some of the subjects treated of in these compositions are rather delicate, and as the writer has ventured to express himself very freely upon one of them, we cannot be surprised that *garder l’anonyme* should be a measure of prudence and discretion, which cannot detract from the justness of the writer’s conclusions, however it may impair the value of his testimony to facts.

The writer, who describes himself as, by disposition and habits, of a religious turn, is, however, far from being tinctured with fanaticism. He is, moreover, possessed of other recommendations natural and acquired. The style of his letters, though unlaboured, betokens the man of education; his sentiments are just and sometimes original; his opinions are, generally speaking, liberal; and above all other merits, considering the subjects on which he writes, he appears to have preserved himself equally from an overweening partiality towards things as they are in the East, and from that despicable spirit of superstitious dogmatism, which quarrels with whatsoever it discovers there, in laws, customs, and institutions, which does not exactly harmonize with the unerring standard of England.

We have not room to advert to the contents of many of these letters, which relate to the scenery, society, and amusements of T—, and the character of the native inhabitants, or to the writer’s reflections upon lexicography, phrenology, education, government, Roman Catholic claims (to which he is not friendly), parliamentary reform, &c. The ten concluding epistles are dedicated to a consideration of religious missions and the circulation of the Scriptures; and these, in our estimation, constitute the most important portion of the work: they deserve to be read attentively, and should be refuted if the allegations are false.

The writer begins by complaining of the misrepresentations which are sent home

home with respect to the real state of missions in the colony, and laments the easy credulity of the people here, and their proneness to be deceived. Flattering accounts are wanted in England, he says, and there are not wanting persons abroad who are disposed to furnish them; "the missionary sends home such a report as he knows will be *liked*, and the speaker at a Missionary or Bible Society meeting again adapts it, by the power of his oratory, to the taste of his audience. I regret to add that whenever allusion has been made by the said speakers to circumstances which have fallen under my own observation, these circumstances have been invariably altered or exaggerated, and often so disguised that it was with difficulty I could at first descry their original." He goes on to state that notwithstanding the highly coloured reports, and brilliant speeches, which have appeared in print during the last twenty years, and in spite of the mildness of the government under which the natives live, the extension of education amongst them, and the readiness of missionaries to impart Christian instruction, *the people remain exactly as they were*; "it is not certain," he says, "that there are twenty adults in the whole colony converted by the Protestant missionaries, and of these the sincerity is more than questionable, for they reckon it a great disgrace for the individuals of a caste to change their religion, but none whatever to *pretend* to do so, when they have a pecuniary object to accomplish, and when they think themselves secure from detection. Hence, young missionaries have been sometimes deceived by pretended conversions, the details of which, in their anxiety to record some fruit of their labours, they have too hastily communicated to their respective societies; but which, I fear, they have not been equally prompt to contradict, after time had but too certainly proved their fallacy." At the station from whence the author writes, were there has been a Wesleyan missionary constantly resident since the year 1816, he says, he has heard of only *two* converts, both of whom had a worldly object in becoming Christians.

In one of the most recent missionary reports, I observe it stated (speaking of the schools) that, "since their commencement, about 20,000 children have passed through them, instructed in the principles of Christianity, and none of them have been known to turn back to idolatry, though connected with families still heathen."

These, it is true, are not the words of a missionary, but of the chiefs or committee of the Wesleyan Society in London, whose employment it is to make summaries of the letters received from abroad, and to deduce inferences from them for the instruction of the people at home—with how much truth and accuracy, I shall leave you to judge, when I add, that I never heard of more than three or four heathen children who were made Christians by means of the schools, and I have not been an inattentive observer of what has been going on, but I would fearlessly put it to any or all the missionaries in the colony, to declare, upon their conscience, if they know or believe that *fifty* young people have been effectually rescued from heathenism, and made sincere Christians, by the said schools, from their commencement to the present time!

That 20,000 have even "passed through them," I believe to be an exaggeration; but that none of these, being idolaters before they attended the schools, have continued to be so after leaving them, is one of the boldest untruths (to call it by no harsher term) that I ever recollect to have met with. From the very constitution of the schools, such a consequence would be altogether impossible. In point of fact, nineteen-twentieths of the children never *cease* to be heathens, and, as a general rule, continue to be so ever afterwards. This is the truth, and I cannot conceive a motive for disguising the truth, unless it be to keep up people's spirits, and to get more money from them. The French say "*toute vérité n'est pas bonne à dire*;" but that will scarcely apply in the present instance, and still less will it justify the substitution of falsehood for truth.

With regard to the education of the native children, the writer says that no moral

moral or religious benefit has yet arisen from this practice, notwithstanding the large sums drawn by missionaries from home, by representing these children to be under their exclusive care, which, he says, is not the fact.

Of the character of the missionaries, in general, the writer does not speak in favourable terms; he says they commonly begin their career with more zeal than discretion, and end with more discretion than zeal. One, he states, had been a bag-man or traveller for a manufactory in the north of England; another a journeyman in Leeds; a third a waiter in a well-known coffee-house in Piccadilly. He adds, "there are individuals here whose support of the missionaries cannot be accounted for on any other principle than their desire to conciliate the favour of certain persons at home, who are supposed to have influence in the colony." He recommends that they should be superintended by some well-bred, sensible man, who should visit each station twice a-year, "and shall have his eyes open to see things as they are, and honestly write home all the truth and nothing more."

The reports would then probably be of a very different character to what they are at present. At present they are, for the most part, exaggerated and coloured, and calculated to mislead. They are usually filled, as may be seen by a reference to them, with pious ejaculations, quotations from Scripture, and abundance of sectarian cant; and with *puffs*, some of which, I will venture to say, equal, in extravagance and bombast, the most impudent quack advertisements that ever appeared in print; and which would be only subject for laughter, but for the improper purpose which they are intended to serve, and the sacred nature of the subject which is thereby profaned.

It will readily be understood that all this is a very convenient substitute for—What has been done? How many idolaters are converted? In what manner has the money remitted been expended? As to the last-mentioned particular, I fear the matter would not bear a very close inspection. They who give this money would not like to be told of a house and chapel, at one station only, which cost £2,000; the house fitted up in the first style of elegance for the missionary and his lady, and the chapel attended by twenty or thirty persons (this is rather above the average), and these, be it observed, not converts from heathenism, but Protestant descendants from the Dutch. Neither would the subscribers like to hear of the expensive entertainments which are sometimes given by the missionaries to such of their countrymen as they can get to partake of them.

I have seen upwards of fifty different accounts from the East-Indies, from as many different missionaries, and I do not think that more than five of these can be said to write with honest simplicity and love of truth. The forty-five evidently seek to produce a certain effect on the minds of their readers; they keep back what is disagreeable or discouraging; they may not fabricate but they misrepresent; they speak of their expectations rather than of their failures, and of what they have said more than of what they have done; or they indulge in a vain and hateful egotism, under colour of detailing their proceedings for disseminating the Gospel. That they should write in this style is not perhaps surprising, when we consider from what condition of life most of them have been suddenly raised, and how superficially they have been educated; but, that sensible people in England should allow themselves to be gulled by it, is somewhat more difficult of comprehension.

The writer animadvertes with severity upon some exaggerated reports which have proceeded from dignitaries of the church of England, particularly a statement by Dr. Barnes, the late archdeacon of Bombay, in a speech delivered by him in London before the Society for the Propagation of the Gospel in Foreign Parts, with reference to Bishop Heber's visit to the island of Ceylon, where, says the archdeacon, "he found not less than 40,000 native Christians, men of moral and regular habits, and warmly attached to the episcopal church." The writer, who states that he has access to more accurate

curate information than Bishop Heber had, who passed only a month in the island, and depended chiefly on the information he received from the missionaries and persons of sanguine temperament like himself, affirms that he could prove, if necessary, that so far from there being 40,000 such Christians on the whole island, there are not 40 ! and he quotes the acknowledgment of one of the Ceylon missionaries, Mr. Clough, who (speaking of these nominal Christians) says : “ it is well known that the greatest part of the people already referred to, though nominal Christians, are Buddhists in their hearts, and rigid supporters of that religion.”

Of the native Roman Catholics, the writer gives a sad account :

I hardly ever met with one who appeared to have a correct notion of even the simplest circumstance connected with his religion. Their forms and processions so much resemble, in appearance at least, those of the heathens, that no stranger could tell the difference : nay, it is a fact which I have had several opportunities of ascertaining, that many Gentoos make offerings at the Catholic shrines, on account of recovery from sickness, &c. while many Catholics do the same at the Gentoo temples !

We can add no more than the following extracts relating to the prospects of evangelizing Ceylon :

It appears to me, after the best attention I have been able to bestow on the subject, that Providence has not yet opened a way for us to approach the minds of the people of South Asia with any reasonable prospect of converting them to Christianity. Perhaps a second day of Pentecost must come before the existing obstacles to their conversion shall be removed—obstacles, however, which are by no means all on their side—many of them are of our own creating, and among these may be mentioned the multiplicity of sects engaged in the work of conversion, and what is still more appalling, the contradiction between the profession and practice of the Europeans.

“ With what consistency or common sense (asks Bishop Middleton) can an attempt to persuade the heathen to believe in Christ, when professed believers are acting as if they were the most hardened of infidels? or how shall we gain a hearing for the evidences of our faith, whilst we are strengthening, as much as we can, the prejudices against its truth?”

The most melancholy consideration is, that there seems little reason to hope that these obstacles will be speedily removed. When, however, they are removed, we may hope that all minor ones may disappear along with them ; and there will then, but no sooner, be good ground for belief, that “ the redemption of this people draweth nigh.”

In common with all other superstitions, the main object of Hindu devotion is the acquisition of some temporal blessing, or the averting some temporal calamity ; and this, it is believed, must be effected by the performance of certain religious ceremonies. But Christianity (according at least to my conception of it) does not pretend to offer any such recompense, but only supplies divine help to bear with equanimity the unavoidable evils of life, and to draw from them such moral benefit as will contribute to our happiness in a future state of existence. Of a recompense of this nature, however, the idolaters of South Asia appear to have no idea, nor is it very easy to give them one.

It is generally known that one of the chief impediments to the conversion of Hindus, is the dread of losing caste, or, in other words, the respect and confidence of their relatives—a feeling which makes them adhere pertinaciously to the religion of their progenitors, even though they can offer no evidence for its truth. This adherence, however, it has been seen, may be shaken by a decree of government, and by the concurrence of the whole caste in the change ; but in no other way can we hope to make converts ; all must be converted simultaneously, or none.

I have sometimes asked parents of respectable caste, if they would allow their children to become Christians ; the answer I have almost always got was in substance this : —“ No ; the change would do them no moral good, for judging from what we see,

as Hindus, they will probably lead better lives than the generality of Christians; and it would do them much positive harm, inasmuch as they would be disowned by their relatives.

I am very sure that we have been a great deal too hasty in our attempts to convert the natives of the east, that we have not sufficiently felt our way before entering on the scene of action, and that we have rather been seeking to guide Providence, so to speak, than to be guided by Providence.

"If these things be true," the English public are under a great delusion, respecting the religious condition of this colony, which many believe to be on the point of becoming wholly Christian. We seem to be equally misinformed as to the effects of the introduction of the jury-system into Ceylon. Can it be believed, after Mr. Brougham's eloquent panegyric on this experiment, and his assertion that it has been attended with "unequivocal success," that the following is a faithful representation of the fact?

I will give you an instance, to shew you what sort of people they are, and what sort of people we are. It is a notorious fact, that a man's oath is every day bought and sold in the bazaar, for the paltry sum of two fanams, which is equal to about three pence of your money: indeed, when few cases are pending in court, and the demand for false oaths is limited, they may be had for much less. Government knows this very well, and yet because, forsooth, the laws of England must be introduced, without modifications, into the colonies, and black people put on the same footing with white, these oaths are received in all the colonial courts of justice, and acted upon! Again, an attempt was lately made to introduce trial by jury among them. All the old residents predicted that the scheme never would succeed, and so it happened. In spite of all the pains which the legislature and the judges took to explain its advantages to the natives, the latter could not be made to understand it, and earnestly begged it might not be forced upon them. They disliked, I believe, a tedious attendance in the jury-box, and thought, moreover, that their decisions might be privately arraigned, and get them into trouble with their countrymen.

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*India's Cries to British Humanity; containing the Suttce's Cry to Great Britain, showing that the Burning of Widows may be abolished with Ease and Safety; Facts and Observations on the practice of taxing Pilgrims in various parts of India, &c.; an Appeal to British Humanity and Justice, relative to exposing the Sick on the Banks of the Ganges, &c., and an Appeal to the Society of Friends on behalf of Christianity in India.* By J. PEGGS, late Missionary at Cuttack, Orissa. 8vo. London, no date.

THE transcript of the title-page of this book, which is a collection of separate tracts, will shew the nature of the subjects treated of, and so far supersede the necessity of a lengthened detail of them. The author has, with very considerable labour, brought together a mass of authorities on the side of the question he espouses, in the several questions referred to. There is little attempt at digesting the mass, so as to bring its result to bear practically and perspicuously upon the questions; neither is there any disposition shewn, as far as we observe, to deal with the difficulties which they severally present, except where those difficulties (which are the essential questions) are incidentally noticed in the extracts quoted by the author. Opposing or conflicting statements are carefully excluded from this compilation; so that a careless reader might really suppose that, with regard to the suttee question, for example, all the authorities were in favour of its peremptory suppression. This is not by any means a fair or a judicious way of treating the subject. A writer whose object is to inform the public, ought candidly to put us in possession of the whole truth. We believe that Mr. Peggs is actuated by sincere and philanthropical

thropical motives, in putting forth this publication, and that his experience in India has afforded him many opportunities of witnessing the practices which he condemns, in their most odious and repulsive forms.

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*Dr. Wilhelm Schott's vorgebliche übersetzung der Werke des Confucius aus der ursprache, eine Litterarische betrügerei; dargestellt von WILHELM LAUTERBACH, Lehrer der Morgenländischen Sprachen. Leipsig and Paris, 1828, 8vo. pp. 69; with five lithographic tables of the Chinese text.*

THIS is an exposure of a piece of literary knavery on the part of Dr. Schott, of Halle, who published, in 1826, his *Werke des Tschinesischen Weisen Kung-fu-dsü und seiner Schüler*, or "The Works of the Confucian School," with a translation, professedly original, but, in fact, taken from Marshman's edition of the Works of Confucius, printed at Serampore in 1809. Mr. Lauterbach (a *nom de guerre* we apprehend of M. Klaproth) has, in this work, subjected Dr. Schott to a severe castigation. He has adduced irrefragable proofs, from a comparison of the two translations, that the one was made from the other. Even the proper names are evidently adapted to the German from the English, not from the Chinese. He has likewise pointed out some alleged errors committed by Marshman, which Schott has diligently copied.

We will take as a specimen the first example. The original text (as exhibited in the first table) is as follows: *Jin püh-che-urh-püh-wän, püh-yih-keun-isze-ping*. Marshman has translated this passage thus: "a man without knowledge, and (yet) without envy, is he not the honourable man?" This is servilely followed by Schott: "*Ein mann ohne ruhm und doch frei von missgunst, ist der nicht achtungswürdig?*" Now in this very passage of his translation, Marshman had been convicted of error by Abel-Rémusat, who remarks that the word *jin*, in the works of Confucius, is ordinarily used to signify *mankind* in general, and in the above passage it is the subject of the verbal phrase *püh-che*, "not to know," and not of *püh-wän*, from which it is separated by the adversative particle *urh*; and he quotes a Chinese scholiast or commentator on Confucius upon this very passage, who says: "in the phrase *jin-püh-che*, the word *jin* is vague, denoting men in general; *püh-che* signifies to be ignorant, not to know the progress we have made in our studies." M. Rémusat renders the passage thus: "*vivre ignoré ou méconnu des autres hommes, et ne point s'indigner, n'est ce pas la marque d'un esprit supérieur, un caractère digne du sage?*" Although this translation is not only not literal, but amplifies the sense too much, yet it is more faithful than Marshman's. Perhaps the following would adhere more closely to the original: "to be without vexation (or anger) because we are not known by mankind is the trait of a just and exalted character." The critic renders the passage thus: "*von den menschen verkannt seyn, und sich nicht entrüsten; ist das nicht vollkommener menschen art?*" The plagiarism of Schott must be manifest.

The examples are numerous: amongst other instances Schott has blundered amusingly concerning the Lung-mä, or dragon-horse, a fabulous or mythological animal, of which a representation is given in the title-page of this book, with the legend Lung-mä-foo-too, "or the dragon-horse bears a figure (or map) on its back." Marshman, in translating a passage from Confucius, where allusion is supposed by him to be made to this animal, has unaccountably taken the last word *too* (drawing or map) for the name of the beast, in which Schott follows him.

M. Klaproth, if he be the author of this little critique, has inflicted a very just chastisement upon the plagiarist.

## VARIETIES.

## ASIATIC SOCIETY OF CALCUTTA.

A meeting of the Physical Committee was held at the Society's apartments, in Chouringhee, on the 20th August; Sir Edward Ryan in the chair.

The continuation of Capt. Low's observations on the geological appearances and general features of portions of the Malayan peninsula (see p. 198) was read at this meeting.

Leaving the coast of Tennasserim, Capt. Low crosses over the peninsula, and notices the geology and mineralogy of Siam. The sea, which washes the shores on the east side, is studded with numerous rocky islands. The edible birds'-nests being procurable here from the caves, it is probable that lime abounds in them. At Ban-taphan-nae, nearly in the latitude of Mergui, are the only gold mines now worked in Siam. The gold is either in shape of dust, or found in a reddish earthy matrix. To get this last kind of ore, pits of no great depth are dug. The ore is merely submitted to the agency of fire. The annual produce is estimated at no higher value than about 15,000 rupees. But as the miners, from 200 to 300, only mine during three months in the year, and as they go to work very clumsily and unscientifically, the real value of these mines remains unknown. The Siamese, previous to the opening a mine, propitiate the spirits of the ground and of the stream, by the sacrifice of cattle and poultry, and by offering up these and fruits upon temporary altars, though the practice is a direct breach of the ordinance of their faith, "not to kill that which has life." Cornelians are said to be found on this coast.

Proceeding northward to within about a day's coasting of the Siam river, a hill termed *Khau-Deng*, or "the red-hill," appears on a point of land. Close to this place, and stretching for the distance of ten or twelve miles further northward, is a remarkable range of pyramidal hills and rocks, called by the Siamese *Sam-rae-yut*, or "the three hundred peaks," varying from 100 to 1,200 feet in height; some rise from the sea and others are scattered on the main land. The valley of Siam is chiefly alluvial, within the range of the annual inundations of its river. The first rocky formation of any consequence, northward of Bangkok, the capital, is at Prahaat, three days by water N.E. of the old capital, and where there is a famous impression of a foot of Bood'ha, according to the assertions of the priests. It is made on the solid rock,

supposed to be granite, which protrudes at the top, and a stair has been cut out of the rock to ascend by. At Khorant they use, it is said, a pudding-stone or breccia for building, and at Nopabooree, in that quarter, they find yellow, red, and white ores of arsenic, a metal which enters largely into the Siamese pharmacopoeia. The ore of iron abounds in this direction. Native travellers affirm that there is no water communication across the country, so that the river *Anam*, laid down by Pinkerton and others, appears to have no existence. The *Ménam*, or great river of Siam, was traced by Capt. Low in native maps, obtained from the people at Laos, up to about 21° N. lat., where there are high hills abounding with hot springs. The northernmost part of Laos is said to yield gold and precious stones. Perhaps it may be the Mohany Leng of Du Halde, where, according to him, gold, silver, copper, tin, and red sulphur were to be found. Report also says, that at Chantaboon, on the east coast of the gulph, chrysolite, Ceylon diamonds, and coarse rubies, cat's-eyes, and other precious stones, may be obtained.

Returning to Tennasserim, Capt. Low thinks the high islands fronting Mergui are primitive granite. The sea, northward to Tavoy, is pretty free of islands. Grey granite is the prevailing primitive rock throughout the province of Tavoy, which is stated to be very hilly, with very narrow valleys: through these valleys flow rapid streams. The route to the Naye-daung Pass into Siam, lies about N.E. from Tavoy. Capt. Low performed the journey to the summit of the pass, in 1825, on foot, as the road is impassable either to elephants or horses. Indeed the only paths, in some places, are the beds of mountain torrents. A dense jungle covers the face of the country, precluding the possibility of satisfactorily following geological pursuits. Capt. Low visited the tin mines, lying three miles off the route. Indeed, the Tavoysers here merely wash the sand of the streams, and collect the fine particles of ore. As the population does not extend farther than the first range of hills, and the mines are buried in the forest far beyond them, the men are exposed to the attacks of wild elephants and other wild beasts.

At Laukyen, fifteen miles N.E. from Tavoy, a halting-place, or circular cleared spot in the forest, Capt. Low's guides shewed him a hot-spring in the almost dry bed of a torrent. The water raised the

the thermometer to 144 degrees. The gas which escaped was not inflammable.

The great Tennasserim river was crossed in this route in a track, where either perpendicular cliffs of granite, or wooded hills, hemmed it in on both sides. Its bed is strewn with large blocks of the same primitive rock, and by stepping and leaping from one to another Capt. Low succeeded in crossing to the east bank, the breadth of the river being at that place about thirty yards, and quite passable in the rainy season. The road distance to the top of the Nayè-daung pass is about sixty miles. The rocks at the pass could not be well examined owing to the thick jungle, but the surface is evidently a decomposing granite. From this elevation, estimated at about 3,000 feet, four distinct and higher ranges of hills were seen within the Siamese frontier on the east. In his overland route to Yè, the surface was rarely found to exhibit any other than the granite formation. At En-bien, near Kaleeng-aung, there is a curious hot-well, surrounded by marshy ground, with not a rock or pebble near it. From this hot fountain down to the stockaded town of Yè, in the small province of that name, the country falls rapidly. On the route from Yè to Martaban, Capt. Low observed in the dry beds of rivers massive strata of striated clay slate, of a fawn colour. These strata are either verticle, or dip at a considerable angle. But as the Burmese war was going on when Capt. Low visited Yè, it was not without imminent risk of being cut off or made a prisoner by the enemy, then encamped on the north side of the river, that he was enabled to explore the country up to about lat. 18° 20'.

Martaban is bounded on the north by a branch of the great central range of hills, dividing it from Siam. On the south it merges into the district of Yè, being separated from it by the Balamein, a narrow stream. On the east the Siamese range presents a very formidable barrier, the highest peak being about 5,000 feet. Across this barrier there is only one good pass, termed by the Burmese, *Pra-song-choo*, and by the Siamese, *Phra-chedee-sam-ong*, or "pass of the three Pagodas," and lying in lat. 15° 18' N., and long. 98° 22' 15" E., according to Capt. Grant's observation after the peace with Ava. The principal river is the Kroong Mantama of the Peguers, or Sanloon of the Burmese, which rises in a range of mountains to the north-west of Che-un Mai, in Laos, passes within two or three days' march of that capital, and after a turbulent course, apparently betwixt two of the inferior ranges of the great belt, discharges itself with impetuosity on the plain, just above the island of Ka-Kayet, in about 18° 20' N. lat., and rolls into the sea at

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the Khyeit Khamee pagoda; at Martaban it may be about a mile in width. The ranges of hills in this province are chiefly granite. The plains are covered generally by an alluvial soil. Potter's earth is obtained in abundance near Martaban. Of this most of the utensils, known by the name of Pegu jars, were formerly made. At Malamein a breccia is found, which has been used in the construction of the pagoda at this place. This substance so hardens by exposure that it will last for ages, as it has here done. About fifty miles by water up the river, Capt. Low discovered a singular hot fountain, which the Burmese call *Yè-boo*, or "hot water." The opening is about thirty feet in diameter, and the rim is of earth, only raised about a foot above the surface of the water, which was so clear that the green calcareous rocks, projecting from the sides, were quite distinct at a depth of twenty feet at least. The temperature of the water was 136°, which is 12° hotter than the Bath waters. Although the wells on the plains were all nearly dry at the period when this fountain was visited, yet it discharged, at least, twenty gallons in a minute. The leaves and branches which had fallen near were incrustated with a calcareous deposit, and the bottom of the rivulet was covered with a flaky calcareous substance. Upon being drank the water had no peculiar effect. In rowing up the Saloon, or main river, the first objects which attracted attention were the Krookla-taung rocks, being a continuation of the great lime formation. The rock on the north-west bank overhangs its base, and is surmounted by a small pagoda. The cliff is estimated at 250 feet in height. On the front facing the river niches have been cut, and painted and gilt alabaster images of Bood'ha introduced. A narrow opening leads into a magnificent cave, which seemingly has been dedicated to Bood'ha, many large wooden and alabaster images of that deified mortal being found arranged in rows along the sides of it. The wooden images had mostly decayed through age, and had tumbled on the floor. The rock consists of a grey and hard limestone. It is rather a singular circumstance that no Bali, or other inscriptions on stone, of any antiquity have been discovered in the Indo-Chinese countries. The only inscription observed by Capt. Low is that which Alongphra or Alampra caused to be engraved on a marble slab, at the great Shooe Madoo Temple, at Pegu: it records his valorous exploits and pious disposition. The alabaster of which the Burmese form their images is only procurable within the proper Ava territory. The Prapattha, or Prabaat, is an engraving often found on granite slabs at temples, and is intended to represent an impres-



sion of a foot of Bood'ha. The Martaban Phoongees, or priests, could not inform Capt. Low when Bood'hism was first introduced into Martaban; but from several circumstances, it would seem, that the country was only settled about A.D. 1286, and that the Bood'h religion reached the Indo-Chinese nations progressively from Ceylon. It also appears, that the Bali language, as now used among them, however varied the alphabet may be in which it is written, is identically the same with that employed by the Cingalese priests of Ceylon. This last approaches so very closely to the Pricrit, that it becomes doubtful which is the elder language of the two. A comparison betwixt them would shew which is the direct derivation from the Sanscrit.

Above the rocks described, the river flows through a rich alluvial country, thinly inhabited by tribes of Kayens or Karians. These people carry on a bartering traffic with the traders of Martaban. They are generally a fine race, athletic, and of much fairer complexions than the Peguers and Burmese. They live independently, keep dogs for the chase, cultivate cotton, weave it into cloth, and dye it with the indigo raised by themselves, and they are very comfortably housed. They change their ground every two or three years. Capt. Low met a whole tribe in rapid progress down the river, being obliged to abandon their village, and seek a new abode, on account of the cholera, which seems from time immemorial to have prevailed in the jungly parts of these regions.

The wild animals and birds found in the countries which Capt. Low has just passed over are chiefly the elephant, which is very numerous, the rhinoceros, which the Malays dread more than they do the elephant, owing to its savage temper; the bison, found of a very large size in Kedda and the head of a fawn colour; the wild ox, the buffalo, the royal tiger, the leopard, the bear, tiger-cats and leopard-cats, the elk, and various kinds of deer, are abundant; baboons, asses, sloths, opossums, flying and other squirrels; the chameleon and other varieties of the lizard tribe; various species of the tortoise, alligators, and guanans very numerous. In Tavoy the natives keep packs of large dogs, with which they run down deer by sight, and they are regularly kennelled. The Karians train dogs to search for tortoises and river turtle, as they form often a chief article of their food. The birds are white sea-eagles and white land eagles, hawks of several species, vultures, and kites, pheasants, quails, and partridges in abundance; pelicans and the usual tropical water-fowl also abound.

Leaving Muchau-taung, and proceed-

ing up the Sanloón river, the low rocks on the banks exhibit coarse black limestone. At Ka-kayet stockade, close to the hills, the granite again begins, and here Capt. Low found scattered about smooth quartz and other pebbles, of several pounds in weight, such as had been used after their ammunition had failed by the Burmese garrison, when defending themselves from the attacks of the Siamese. Baskets full of these pebbles were arranged along the palisade inside.

The geology of Ava is little known, nor has any one of the many, who accompanied the troops up the Irrawaddy, favoured the world with a connected sketch of the rocks observed on its banks. Carbonate of lime, in the shape of the finest marble, and also alabaster in a pure state, are very common in the country. From the preceding observations, it appears that granite forms the basis of all the continuous ranges of hills on the coasts which have been described; that a bold and marked line formation runs parallel to these ranges, though occasionally interrupted; and that tin, in shape of an oxyd, and invariably associated with the granitic hills, or formed in their vicinity, and iron, in various states of combination, are the principal metals throughout this wide range.—*Cal. Gov. Gaz.*

#### CHINESE ATLAS.

M. Klaproth has inserted in the *Nouvelles Annales des Voyages*, a notice of a curious Chinese atlas, brought from China by Francesco Carletti, in 1601, and which is preserved in the Magliabechi library at Florence. M. Klaproth had an opportunity of examining this work during a visit to that city.

This atlas consists of forty-two maps accompanied by geographical and statistical tables. The author is the celebrated geographer Chu-sze-pang, who lived in the early part of the fourteenth century, under the Mongol dynasty. In his prefaces, he says that, in order to draw up maps of the different provinces, he travelled over the whole empire, between the years 1311 and 1312; and that originally his charts were of enormous dimensions, but were reduced for the sake of convenience. There have been several editions of this work; the earliest known to M. Klaproth was published in 1561, and a copy, in one volume, is in the library of the Imperial Academy of Sciences, at St. Petersburg; a second edition, in two volumes, which appeared in 1595, is that in the library of Magliabechi, and now under consideration; a third, published in 1615, in two volumes, is the most complete; a copy was brought from China by Sir James Staunton, and is deposited in the library of the Royal Asiatic Society. The latter edition contains

tains an explanation of the signs employed to denote objects in the charts, viz. mountains are represented like those in old European maps, rivers by double lines; frontiers are denoted by a thick black line, roads by a pointed line; the Foo, or cities of the first class, are represented by a square; the Chow, or cities of the second class, by a parallelopiped; the Hëen, or cities of the third class, by a circle, &c. Instead of degrees of latitude and longitude, the maps are divided into spaces of 100 li square. The first volume contains fifteen maps; the first represents China with the adjacent countries; the rest are maps of the provinces. The second volume contains twenty-six maps. The first is a "general map of the nine frontiers," under which designation the Chinese comprise the ancient land boundaries of their country, beginning at Leaou-tung, on the north-east, and ending at Sze-chuen, on the south-west, proceeding thence to the east by Kwang-si to the sea-shore, between Kwang-tung and Fuh-kên. The fourteen ensuing maps contain the details of these limits. The remainder exhibit the course of the Hwang-ho from its source to its discharge into the sea; the maritime coasts of China; the canal communication between Peking and Canton; Corea; "a general chart of the *barbarians* of the eastern sea," which shews the confused ideas entertained by the Chinese, in the author's time, respecting the Indian archipelago and a portion of Australia; a similar chart of the *barbarians* of the south-western sea, comprehending southern Asia; the kingdom of Annam or Tonquin; the western countries; those on the north and the Sandy Desert; the great island of Lew-Chew; the kingdom of Japan, with the names of all the provinces of this empire, and the number of districts composing each. "Most of the maps which compose this *atlas*," observes M. Klaproth, "are followed by summaries of the territorial division, revenues, taxes, population, products, and other statistical data relating to each, affording a very exact idea of the state of China at the date of the work. It is one of the most curious geographical relics," he adds, "next to the work of Ptolemy, which I am acquainted with, and it served as the basis for all the maps constructed by the Chinese till the reign of Cang-he, or till the period when that great monarch caused a new map of his empire to be drawn up by the Jesuits who were then in his empire."

#### RESULTS OF MISSIONS.

"Still, it may be asked—and the inquiry is often put in a tone of sarcasm—'What have they achieved?' The full answer cannot be given in this place. We

shall merely set down a few facts which belong to the history of the times.

"Idolatry has been overthrown in the islands of the Pacific; and several of the Polynesian tribes have been converted to the faith of Christ. A Bible Society has been substituted for the inquisition in the former capital of New Granada, with an ex-inquisitor for the secretary. The degraded negro, the brutal hottentot, and the red Indian have each been taught to exhibit the civilizing and transforming influence of the Christian doctrine. The languages of the East have been mastered; and those, which had never before been the medium of a ray of religious truth, have been forced to speak the words of God. Two independent versions of the Scriptures into Chinese, by Protestant missionaries, have excited the astonishment and admiration of the literati of Europe. In India, idolatry, zealously protected, patronized, and endowed by the Christian government, has been undermined, and a breach has been made in the networks. The hardest part of the struggle, that with English infidelity, is, we trust, nearly over; a revolution has been effected in public opinion, and an improvement has taken place in the state of things in India, as regards our people there, which would, in itself, compensate for all that has been expended on missions to that country. He must have been a very sanguine man, who would have ventured to hope, five-and-twenty years ago, that results such as these would be accomplished, within so short a period, by an instrumentality apparently so inadequate, so humble and foolish and weak in the estimation of the mere politician or philosopher, and in the teeth of so much anti-Christian hostility and obloquy."—*Miss. Reg. Jan. 1829.*

#### SITTING IN THE AIR.

An exhibition at Madras has excited considerable curiosity. A brahmin, old and slightly made, represented to be of high caste, contrives to poise himself in a most extraordinary manner in the air. He performs this feat at any gentleman's house, not for money, but as an act of courtesy. The following is a description, from an eye-witness, given in a Calcutta paper.—"The only apparatus seen is a piece of plank, which, with four pegs, he forms into a kind of long stool; upon this, in a little brass saucer or socket, he places, in a perpendicular position, a hollow bamboo, over which he puts a kind of crutch, like that of a walking crutch, covering that with a piece of common hide: these materials he carries with him in a little bag, which is shown to those who come to see him exhibit. The servants of the house hold a blanket before him, and when it is withdrawn, he is discovered

discovered poised in the air, about four feet from the ground, in a sitting attitude, the outer edge of one hand merely touching the crutch, the fingers of that hand deliberately counting beads; the other hand and arm held up in an erect posture. The blanket was then held up before him, and they heard a gurgling noise like that occasioned by wind escaping from a bladder or tube, and when the screen was withdrawn he was again standing on terra firma. The same man has the power of staying under water for several hours. He declines to explain how he does it, merely saying he has been long accustomed to do so." The length of time for which he can remain in his aerial station is considerable. The person who gave the above account says that he remained in the air for twelve minutes; but before the Governor of Madras he continued on his baseless seat for *forty minutes*. Great efforts, it is said, have been made to discover the trick, but in vain. Large sums, it is added, have been offered the man to exhibit in England, which he declines. The *Calcutta Government Gazette* contains a conjectural solution of the mystery. The writer observes, first, that preparatory to the performance, four or five of the brahman's followers or attendants inclose him in a large thick blanket, so as to afford him room enough for freedom of action, and prevent observation from the most scrutinizing eye. The performer takes about fifteen minutes to divest himself of corporeal weight, and the principle of gravitation, and render himself fit for his aerial enterprize. At a signal, the blanket drops, and the conjurer is beheld sitting cross-legged in the air. He then explains the contrivance by which he supposes the feat is performed.—"It is simply a rod of metal, running from the top of the bamboo, along the arm, to between the shoulders, from thence either a continuation of the metal, ending in a sort of seat, like a buggy-step, or a ring, large enough to sit upon, may be employed, or straps may be readily contrived to answer the same purpose. This simple apparatus may be concealed from the spectators in the hollow bamboo, or under the brahmin's clothes, for he was well supplied with party-coloured silken raiment, more than enough to hide the trifles required for the occasion. In fifteen minutes he could undress, fix on the apparatus, and dress again; for, standing upon the stool, his arm, extending to the bamboo, would be in a horizontal position, and the height of the seat, not being higher than his middle, he would only have to draw up his feet under him to be ready for public view. The gurgling noise under the blanket alluded to, after the display, may have been produced by introducing the materials into

the hollow bamboo, or imitated, as part of the *hocus pocus*. The apparatus above described, may, of course, be modified and simplified, as to construction and material, according to the skill and dexterity of the performer."

#### EULOGY ON BISHOP HEBER.

In a French review of Heber's "Narrative of a Journey through the Upper Provinces of India," we have the following highly-coloured portrait of the estimable author:

"Scarcely had he touched the soil of India, when, moved with distress at the condition of the rising churches scattered over that immense space; curious, at the same time, to judge from his own observation, whether the obstacles opposed to the propagation of the Gospel were, as asserted, invincible; and animated by a spirit of tolerance and charity which embraced not only rival Christian sectaries, but the poor and superstitious Hindoos; this young and ardent prelate undertook his mission like the first apostles of Christ, and accomplished it, in spite of incredible fatigues, amongst various savage and degraded races, exposed during the night and the day, in a destructive climate, sometimes to the intense heat of a scorching sky, sometimes to the pestilential fogs of marshy jungles. See him, in the midst of his caravan, his elephants, his horses, his tents, his sepoy-guard, his store of provisions for six months, directing this little army, animating them, and inspiring them, as it were, almost with his own holy zeal. See him interrogating the brahmins, studying by religion, with a more inquisitive curiosity than a mere scholar, their doctrines and their rites, and searching on all sides some point accessible to the truth which he preached, and which must eventually prevail! No fear was there lest he should discover either an arrogant spirit proceeding from a sense of national superiority, a dogmatical contempt, or sectarian prejudice. He was a religious man, but his religion was of the heart; he was a believer, but imbued with tenderness and humanity. The sweet charities of domestic affection, the delicious dreams of the imagination, the poetic studies of his early years, were the motives, the supporters of his faith. In short, conceive a married Fenelon fulfilling in India that religious mission which in his youth he so fondly planned for Greece in a letter to Bossuet. Such a man was Heber; and India deplored him as Cambay did Fenelon. All the Christian churches, Musulmans of every sect, Hindoos of every caste, even the poorest and the vilest, brought a tribute towards raising him a monument. He will remain a lasting example to the clergy who shall follow him; and India, one day christ-

christianized, like the converted brahmin who pronounced his funeral oration, will, perhaps, in future times, delight to dwell upon his memory."

#### DIVISION OF LABOUR IN THE EAST.

"The subdivision of labour is here (Ceylon) carried almost to infinity; there is no such a thing as a 'servant of all work': your dressing-boy will not light or extinguish the lamp, nor will your palanquin-bearer hold the reins of your horse, or, if he does, he will be sure to let them go; nor will your cook clean his own utensils; nor will any of those do the work of a cooly or porter. The poorest female in the bazar cannot wash or mend her own clothes; she must employ the washerman and tailor. No man must shave his own beard, for that would be an infringement of the barber's prerogative; and the man who supplies you with milk cannot supply you with butter, for these are two distinct offices that must on no account be confounded. So, again, your butler must have his *matey*, your horse-keeper his grass-cutter, your gardener his water-drawer, your washerman his ironing-man; and if a carpenter or locksmith comes to do a job at your house, each is accompanied by a boy or cooly to assist him. At the Indian presidencies are several other ramifications and subdivisions among these menials. Now, however gratifying it may be to a man's vanity to have a number of domestics and others at his command, the worst of it is that all these people must be *paid*; and withal we are not half so well served as in England by a quarter of the number of persons."—*Letters from an Eastern Colony.*

#### A COLLECTOR'S CUTCHERRY IN INDIA.

In the cutcherry the offices are all below, and generally crowded with petitioners, omedwars, loiterers, carcoons, peons, seebundeeds, and rogues of all kinds and castes. The desks are like the common tables of a mercantile clerk, from which orders are delivered on magisterial and revenue affairs. All is public, no one can be prevented from petitioning. The following are a few specimens which may serve to show the nature of the complaints. On the 5th July 1844 the following written petitions were read with an audible voice by the carcoon of Rutnagerry cutcherry:

1. From a poor old cultivator, begging for the sirkar's *hookum* to drive a devil out of a well.

2. From an old brahmin, stating that his son had beaten him, turned him out of his house, stolen his property, &c.

3. From a young woman, alleging that her husband's first wife, no longer in pos-

session of beauty, though still overawing her husband, had turned her out of doors, abused and beat her: the old hag and the man, in reply, affirmed that the young wife had thrown the devil into her husband, and the latter deposed that he at times lay insensible for two or three days, possessed by the demon.

4. From an old Mahratta—calling the magistrate Vishnu's avater, and the petitioner's god—requesting a situation for his young son as peon, stating that Vishnu, in the magistrate's own shape, had appeared to him, and desired him to make this request.

5. From a Hindu, stating that his caste had expelled him for doing the work of horsekeeper to an English gentleman, and would not re-admit him unless he gave them an entertainment, which would ruin him.

6. From an old brahmin, for leave to bury himself alive. Government allowed this man four rupees per month to hinder him from committing the act.—*Cal. Or. Mag.*

#### MONGOLIA AND PEKING.

The archimandrite Hyacinth, late chief of the Russian mission at Peking, from whence he returned in 1821, with Mr. Timkowski, is about to publish, at St Petersburg, *an Account of Mongolia*, in four volumes. The first volume will contain a narrative of his journey through Mongolia, and his return from Peking to Kiakhta; the second, a geographical and statistical account of Mongolia; the third, a short history of the Mongols; and the fourth, the code of laws by which this nomade people is governed. This work will contain a map of Mongolia, engravings of costumes, &c. Father Hyacinth also intends to publish, by subscription, a plan of the city of Peking, with an exact description of the most remarkable buildings, &c. of that capital. This plan was made in 1817 by a Chinese surveyor, by order of Father Hyacinth. It will be engraved on two large sheets, and carefully coloured. The description of the city, translated from the Chinese by Father Hyacinth, will be published at the same time in Russian and French.

It appears from a remark made on a prospectus of this map, at a recent meeting of the Geographical Society of Paris, that this plan of Peking is the identical one already published in the work of Timkowski, and that there is scarcely any difference between that plan and the one previously published by Father Gaubil.

#### TRAVELS OF M. RIFFAULT.

At a recent meeting of the Geographical Society of Paris, M. Riffault, the traveller, was presented by M. Jomard. M. Bar-

M. Barbié du Bocage read to the Society a brief memoir on the subject of M. Riffault's travels and their results. M. Riffault left France in 1807, and spent the succeeding twenty years in travelling in Spain, the islands of the Mediterranean, Turkey, Egypt, and Nubia; thirteen years were employed by him in traversing Egypt and Nubia. The collection he has made in every branch of natural history, antiquities, arts, manufactures, &c. are stated to be immense. The number of drawings amount to 6,000, including plants, fishes, shells, insects, quadrupeds, reptiles, birds, and antiquities, the latter of which are numerous, and executed with great care. He has discovered sixty-six statues, and disinterred and exposed six temples and edifices in Thebes alone. With his own hand he has copied and translated 260 inscriptions, in Greek, Latin, and hieroglyphics. Many of the drawings explain the customs, rites, sports, and professions of the inhabitants. Maps, plans, and views, executed by himself, illustrate the geography and topography of the countries visited. Surgery and medicine, agriculture, meteorology, music, &c. &c. are illustrated by instruments or drawings. All the articles are accompanied by explanatory notes, which alone fill about fourteen volumes. A committee was nominated to report upon the labours of M. Riffault so far as connected with geography.

#### HERCULANEUM AND POMPEII.

M. Raoul Rochette has communicated to the French Academy of Inscriptions and the Academy of Fine Arts, intelligence of high interest, extracted from a letter from Pompeii, dated Jan. 15, concerning the recent excavations. It is as follows:—

“The most brilliant discoveries are daily making at Herculanum and Pompeii. A magnificent mansion is gradually appearing at Herculanum, the garden of which, surrounded by colonnades, is the grandest which has hitherto been found. Some of the paintings with which it is decorated are of great interest. Among other mythological subjects there is a picture of Perseus who, assisted by Minerva, is killing Medusa; Mercury laying Argus to sleep, that he may carry off the beautiful Io; Jason, the Dragon, and the three Hesperides. But the most remarkable objects in this mansion are some bas-reliefs in silver, fixed on elliptical tablets of bronze, and representing Apollo and Diana. There are numberless other articles of curiosity in furniture and household utensils. But as to pictures, it appears that none approach in merit those discovered at a house in Pompeii. It is now certain that the quarter in which the excavations are going on is the finest in

the city. The Tuscan atrium first presents itself in the mansion we are speaking of. This atrium is surrounded with small rooms very prettily decorated, from which we pass into a garden, round which are also disposed apartments appropriated to visitors. To the left of the atrium there is a passage leading to large porticoes supported by red pillars, and embellished with a profusion of beautiful paintings. There are also some grotesque designs; such as a pigmy teaching an ape to dance, as well as paintings of fruit and animals beautifully executed. These porticoes were devoted to promenade. They enclose a little garden, in the centre of which there is a basin for fish, and at the bottom was found a large *triclinium*, or dining table, and seats for reclining. The *gynæceum*, or apartment appropriated to females, consists of a peristyleum, surrounded with porticoes leading into the apartments, where there is a luxurious display of pictures, executed in first-rate style. Castor and Pollux, the household gods, are on each side of the entrance; the other principal subjects are—Echo and Narcissus; Endymion; the infant Achilles plunged into Styx by his mother Thetis; Mars and Venus; Saturn; Orpheus; Ceres; Mars; Jupiter Hospitalis; and a classical group of a satyr and an hermaphrodite. The *exedrum*, or study, is decorated with some admirable pictures, representing bacchantes of incomparable beauty; also a picture of Achilles drawing his sword against Agamemnon, and restrained by Minerva. Pictures on this subject, but indifferently executed, have been before discovered among those in the Temple of Venus. There is here, likewise, Achilles, disguised as a woman, and detected by Ulysses; Ulysses, begging and receiving alms from the faithful Eumæus, &c. The style of these paintings is said to be superior to any thing that has yet been discovered of ancient art. From the *exedrum* we pass into a third garden, also surrounded with red columns, and adorned with pictures on the following subjects:—Phædra, discovering her incestuous passion to Hippolytus; several tragic and comic scenes; the fable of Æthra and Ægeus; Apollo, with Daphne, changed into a laurel. There is a little niche, or *sacrarium*, in the garden, from which we pass into a third *peristyleum*. Among the moveable articles found in this mansion, a casket is particularly mentioned, enriched with elegant ornaments in bronze, and deposited in a corner of the *gynæceum*. It contains forty-two pieces of imperial gold money, and six of silver.”

The subjects of the six most beautiful pictures are Medea, the death of Niobe and her children, Meleager, Perseus and Andromeda, a bacchante, and the muses.

## SAGACITY OF AN ELEPHANT.

Lieut. Shipp, in his *Memoirs*, relates the following anecdote of an unmanageable elephant, who broke loose and killed his keeper:—"The instant he had struck his keeper, and found he did not rise, he suddenly stopped, seemed concerned, looked at him with the eye of pity, and stood rivetted to the spot. He paused for some seconds, then ran towards the place whence he had broken loose, and went quietly to his piquet, in front of which lay an infant, about two years old, the daughter of the keeper whom he had killed. The elephant seized the child round the waist as gently as its mother would, lifted it from the ground, and caressed and fondled it for some time, every beholder trembling for its safety, and expecting every moment it would

share the fate of its unfortunate father; but the sagacious animal, having turned the child round three times, quietly laid it down again, and drew some clothing over it that had fallen off. After this, it stood over the child, with its eyes fixed upon it; and, if I did not see the penitential tear steal from its eye, I have never seen it in my life. He then submitted to be re-chained by some other keepers, stood motionless and dejected, and seemed sensible that he had done a wrong he could not repair. There was a visible alteration in his health after his keeper's death, and he fell away and died at Cawnpore six months afterwards; people well acquainted with the history of the elephant, and who knew the story, did not scruple to say, from fretting for his favourite keeper."

## NEW PUBLICATIONS.

## LONDON.

*Travels in Arabia*; comprehending an Account of those Territories in the Hedjaz, which the Mahomedans regard as sacred. By the late J. L. Burckhardt. 4to. £3. 13s. 6d.

*Journal of a Second Expedition into the Interior of Africa*, from the Right of Benin to Socototo. By the late Capt. Clapperton, R.N. To which is added, the Journal of Richard Lander, from Kano to the Sea-Coast, partly by a more Eastern Route. 4to. £2. 2s.

*India's Cries to British Humanity*; containing the Suttess' Cry to Britain: Facts and Observations on the Practice of Taxing Pilgrims in various parts of India, &c.; an Appeal to British Humanity and Justice relative to exposing the Sick on the Banks of the Ganges, &c.; and an Appeal to the Society of Friends on behalf of Christianity in India. By J. Pegges, late Missionary at Cuttack, Orissa. 8vo. 5s. 8d.

*A General Chart from England to China*, including the Indian Seas; inscribed to Jas. Horsburgh, Esq., F.R.S., &c. &c., Hydrographer to the Hon. East-India Company. In one sheet, 7s. 6d., or on cloth bound, 10s.

*A History of the Bonedolas*. By Capt. W. R. Pogson, of the Bengal Army. 4to. £1. 1s. (Imported from Calcutta.)

*Journal of the Rev. Joseph Wolff*, Missionary to the Jews. Vol. III. 8vo. 8s.

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*The Life of Sir Thomas Munro*, late Governor of Madras. By the Rev. G. R. Gleig, author of "The Subaltern." 8vo.

*Sermons preached in England*. By the late Right Rev. Reginald Heber, D.D., Lord Bishop of Calcutta, formerly Rector of Hodnet, Salop, &c. &c. 1 vol. 8vo.

*The Ancient Geography of Asia to the West of the Caspian Gates*, and as connected with the Route of the Ten Thousand and the Expedition of Alexander, illustrated by the Rev. J. Williams, A.M., &c. Vicar of Lampeter, Cardiganshire. 8vo.

*The History of the Turks*, from their First Appearance in Europe in the year 545, to the year 1829. With a Map and Plates. 2 vols. small 8vo.

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*Letters on the Climate, Inhabitants, Productions, &c. of the Nellocheries, or Blue Mountains of Coimbatore, South India*. By J. Hough, of Madras.

*Voyage to the South Seas to discover the Remains of La Peyrouse's vessels*. By Captain Dillon.

*Journal of an Embassy from the Governor-Gen-*

eral of India to the Court of Ava, in the year 1826. By John Crawford, Esq., late Envoy. Printed uniform with "The Embassy to Siam and Cochinchina." 1 vol. 4to. with Plates.

*History of the Life and Times of the Great Lord Clive*. By Sir John Malcolm.

*History of India*. By De Marles.

*A Geographical, Statistical, and Historical Description of the Empire of China, and its Dependencies*. By Julius Klaproth, 2 vols. 4to., with a Map.

## PARIS.

*Chefs-d'Œuvres du Théâtre Indien*, traduits de l'original Sanscrit en Anglais, par M. H. H. Wilson, et de l'Anglais en Français par M. A. Langlois; accompagnées de Notes et d'Éclaircissements, et suivies d'une Table alphabétique des noms propres et des termes relatifs à la mythologie et aux usages de l'Inde, avec leur explication. 2 vols. 8vo. 21s.

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## BOMBAY.

*The Military Album and Magazine*. 3 Rs. (To be continued quarterly.)

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*The Oriental Sporting Magazine*. 3 Rs. (To be continued quarterly.)

## ASIATIC INTELLIGENCE.

## Calcutta.

GOVERNMENT GENERAL  
ORDERS.

## COMMAND ALLOWANCES.

*Head-Quarters, Simla, July 28, 1828.*—The Commander-in-chief is pleased to notify, that an allowance of twenty-five rupees a month has been sanctioned by government to officers in command of a detachment of three or more companies, for which an adjutant may not have been allowed.

## FIRE ENGINES.

*Head-Quarters, Simla, July 28, 1828.*—The Commander-in-chief is pleased to direct the officers commanding regiments of cavalry, which occupy thatched stables, to transmit each to the Military Board an indent for a fire-engine. The engines are to be placed under the charge of the barrack-master, or executive officer, where there is one residing at the station; and where there is not, under the charge of the regimental quarter-master. In all cases they are to be lodged in some place near the stables, where they can be instantly brought into use when required. The key of the building, if it is locked, should be hung up in the standard guard. Officers commanding regiments to which fire-engines are furnished will give orders for a few men being trained to use them.

## DECAN BOOTY.

*Head-Quarters, Simla, July 28, 1828.*—Distribution statements and rolls bearing the names of those entitled to share in the proceeds of that portion of the Decan booty, which is termed "Actual captures," made during the years 1817 and 18, having been published in the *Government Gazette* of the 23d ultimo, station and regimental prize committees, as constituted by Government General Orders of the 28th of March last, are directed to be assembled at stations and regiments respectively, as soon after the receipt of this order as may be practicable, and the strict attention is enjoined to the instructions, which have been promulgated by government for the guidance of committees.

## PRACTICE OF COURTS-MARTIAL.

*Head-Quarters, Simla, Aug. 7, 1828.*—The Commander-in-chief is pleased to direct, that when charges are preferred against an individual which are likely to lead to his being arraigned before a gene-

ral court-martial, the senior officer on the spot shall direct, that a court of inquiry be assembled for the purpose of investigating the grounds of the complaint, the result of which is to be forwarded to the general officer commanding the division, who will direct further investigation to be made, if he considers the information defective; and when in full possession of the circumstances of the case will exercise his discretion in forwarding the charges and the result of the inquiry to head-quarters, if he deems ulterior proceedings requisite. He will order the release of the prisoner, if he considers the allegations frivolous or unfounded, or should he be of opinion that an admonition from himself will suffice.

## EXAMINATION OF INTERPRETERS.

*Head-Quarters, Simla, Aug. 9 and 14, 1828.*—The following officers having passed the prescribed examination in the Persian and Hindoostanee languages, are exempted from future examination, except the prescribed one by the public examiners of Fort William, which they will be expected to undergo whenever they may visit the presidency:—

1st-Lieut. J. L. Mowatt, artillery.  
Lieut. R. S. Trevor, 3d regt. L.G.  
Lieut. E. B. Backhouse, 7th regt. L.C.  
Lieut. G. N. Prole, 3d regt. N.I.  
Lieut. P. Goldney, 4th regt. N.I.  
Lieut. C. H. Naylor, 8th regt. N.I.  
Ens. W. H. Rickards, 14th regt. N.I.  
Lieut. E. E. Ludlow, 20th regt. N.I.  
Lieut. J. Woods, 32d regt. N.I.  
Lieut. P. Hopkins, acting interp. and qu. mast. 27th regt. N.I.  
Lieut. R. Campbell, interp. and qu. mast. 43d regt. N.I.  
Lieut. J. W. Michell, interp. and qu. mast. 49th regt. N.I.  
Lieut. P. P. Turner, acting interp. and qu. mast. 61st regt. N.I.

## SUBALTERN COMMANDING COMPANIES.

*Head-Quarters, Simla, Aug. 9, 1828.*—The Commander-in-chief is pleased to direct that no subaltern officer is to have the command of a troop or company until he shall have done regimental duty for two years, and not then, unless he be sufficiently acquainted with his duty to be qualified for the charge, and shall also have acquired a competent knowledge of Hindoostanee, without which, his intercourse with the men placed under his command cannot be carried on in a manner satisfactory to him or to them, or beneficial to the service.

## RELIEF OF TROOPS.

*Fort William, Sept. 5, 1828.*—The Right Hon.

From the Governor-general in Council directed that the following relief of troops shall take place at the periods and in the order hereafter detailed.

*Light Cavalry.*

2d Regt.—From Muttra to Kurnaul; on the 20th October.

3d Regt.—From Keitah to Cawnpore; when relieved by the 7th regt.

4th Regt.—From Nusseerabad to Meerut; when relieved by the 8th regt.

5th Regt.—From Neemuch to Muttra; when relieved by the 9th regt.

7th Regt.—From Kurnaul to Keitah; when relieved by the 2d regt.

8th Regt.—From Kurnaul to Nusseerabad; on the 10th October.

9th Regt.—From Cawnpore to Neemuch; on the 20th October.

10th Regt.—From Meerut to Kurnaul; when relieved by the 4th regt.

*Native Infantry.*

4th Regt.—From Loodheana to Sooltanpore (Oude); on the 15th October.

6th Regt.—From Kurnaul to Agra; when relieved by the 10th regt.

7th Regt.—From Berhampore to Midnapore; right wing 15th Nov., left wing when relieved by the 53d regt.

9th Regt.—From Secora to Neemuch; 15th Oct.; on being relieved by five companies from Lucknow.

10th Regt.—From Neemuch to Kurnaul; when relieved by the 41st regt.

11th Regt.—From Kurnaul to Barrackpore; on the 10th October.

14th Regt.—From Lucknow to Delhi; when relieved by the 49th regt.

15th Regt.—From Allyghur to Hansie; right wing 1st Oct., left wing when relieved by the right wing 36th regt.

16th Regt.—From Goruckpore to Saugor; when relieved by the 50th regt.

19th Regt.—From Nusseerabad to Bareilly; when relieved by the 26th regt.

21st Regt.—From Muttra and Bhurt-pore to Nusseerabad; when relieved by the 48th regt.

22d Regt.—From Midnapore to Keitah; when relieved by right wing 7th regt.

23d Regt.—From Almorah and Moradabad to Loodheana; when relieved by the 58th regt.

26th Regt.—From Cawnpore to Nusseerabad; on the 15th October.

28th Regt.—From Barrackpore to Allahabad and Juanpore; on the 20th November.

29th Regt.—From Shahjahanpore and Etawah to Meerut; when relieved by the 61st regt.

30th Regt.—From Cuttack to Benares; when relieved by the 66th regt.

31st Regt.—From Neemuch to Secora; when relieved by the 42d regt.

32d Regt.—From Keitah to Meerut; when relieved by the 22d regt.

*Asiatic Jour., Vol. 27, No. 159.*

33d Regt.—From Nusseerabad to Cawnpore; when relieved by the 21st regt.

35th Regt.—From Meerut to Barrackpore; on the 10th October.

36th Regt.—From Sooltanpore (Oude) to Ally Ghur; right wing 10th Oct., left wing when relieved by the 4th regt.

37th Regt.—From Bareilly to Kurnaul; when relieved by the 60th regt.

38th Regt.—From Saugor to Barrackpore; on the 15th October.

41st Regt.—From Muttra to Neemuch; on the 10th October.

42d Regt.—From Cawnpore to Neemuch; on the 10th October.

44th Regt.—From Dacca to Cawnpore; when relieved by five companies of the 52d regt.

46th Regt.—From Dinapore to Muttra; on the 15th October.

47th Regt.—From Barrackpore to Arracan; by sea, as soon as the requisite tonnage can be supplied.

48th Regt.—From Neemuch to Allahabad; on the 10th October.

49th Regt.—From Mirzapore to Lucknow; when relieved by the 55th regt.

50th Regt.—From Allahabad to Goruckpore; when relieved by the 48th regt.

52d Regt.—From Chittagong to Pertaubghur (Oude); when relieved by the right wing of the 74th regt.

53d Regt.—From Bareilly to Berhampore; on the 10th October.

55th Regt.—From Delhi to Mirzapore; on the 10th October.

57th Regt.—From Pertaubghur to Agra; when relieved by a wing of the 4th regt.

58th Regt.—From Agra to Almora and Moradabad; on the 1st November.

60th Regt.—From Meerut to Bareilly; when relieved by the 29th regt.

61st Regt.—From Benares to Shahjahanpore and Etawah; on the 10th October.

63d Regt.—From Hansie to Barrackpore; when relieved by the right wing 15th regt.

64th Regt.—From Agra to Dacca; on the 1st October.

65th Regt.—From Barrackpore to Muttra; on the 15th November.

66th Regt.—From Barrackpore to Cuttack; on the 1st December.

68th Regt.—From Arracan to Dinapore; by sea to Calcutta, when relieved by the 47th regt.

72d Regt.—From Allahabad and Juanpore to Mullye; the wings to move so as to join at Benares on the 15th October.

74th Regt.—From Mullye to Chittagong; right wing 20th Oct., left wing when relieved by the 72d Regt.

Five companies to be detached from the force at Lucknow, on the 10th Oct., to take the duties at Secora, until the arrival of the 31st regt.

On the arrival of the 4th regt. at Sooltanpore (Oude) one wing will be detached



to take the duties at Bertabghur, until the arrival there of the 52d regt.

On the march of the 72d regt., the duties at Juanpore will be taken by a detachment from the force at Benares, until relieved by the 28th regt.

A wing of the 52d regt. to march on the 15th Nov., to relieve the 44th regt. from the duties at Dacca, until the arrival of the 64th regt. This detachment will rejoin the head-quarters of the 52d regt., on its arrival at Dacca, in progress to its new destination.

## CIVIL APPOINTMENTS.

### Judicial Department.

Aug. 15. Mr. F. O. Wells, register of suburbs of Calcutta.

Mr. T. J. C. Plowden, assistant to magistrate and collector of city and district of Dacca.

## MILITARY APPOINTMENTS, PROMOTIONS, &c.

Fort William, Aug. 16, 1828.—Capt. C. Coventry, 32d N.I., to have charge of 8th or Cawnpore Prov. Bat., during absence of Lieut. Col. Gibbs, on leave to presidency.

Aug. 22.—Infantry. Lieut. Col. R. H. Cunliffe to be lieut. col. com. from 2d Aug. 1828, v. Nation dec.; Major J. H. Littler to be lieut. col., v. Cunliffe prom.; with rank from 11th July 1828, in suc. to Auril invalided; Major H. F. Denty to be lieut. col., from 30th July 1828, v. George dec.; Major W. Vincent to be lieut. col., v. Pepper dec., with rank from 2d Aug. 1828, in suc. to Lieut. Col. Com. S. Nation dec.

14th N.I. Capt. T. U. Raban to be major and Lieut. R. Thorpe to be capt. of a com. from 11th July 1828, in suc. to Littler prom.; Ens. F. Mackeson to be lieut. v. Thorpe prom.; with rank from 22d July 1828, v. Ramsay dec.

53d N.I. Capt. W. Redding to be major, Lieut. Brev. Capt. W. Barnett to be capt. of a comp., and Ens. G. Hamilton to be lieut., from 30th July 1828, in suc. to Denty prom.

25th N.I. Capt. T. D. L. Davies to be major, Lieut. A. A. Williamson to be capt. of a comp., and Ens. R. E. Jones to be lieut., from 2d Aug. 1828, in suc. to Vincent prom.

Brev. Capt. H. Mansell, H.M.'s 14th F., to be an aide-de-camp on personal staff of Governor-general.

Head-Quarters, July 28, 1828.—Lieut. S. R. Bagshawe to officiate as interp. and qu. mast. to 7th N.I., during absence of Lieut. Hudleston, on duty to presidency; date 1st July.

July 31.—Postings of Medical Staff. Surg. C. Robinson to 13th N.I.; Surg. S. Durham, 23d do.; Surg. J. McDowell, 59th do.; Surg. J. Swiny, M.D., 24th do.; Surg. T. Tweede, 11th do.; Surg. G. Playfair, 29th do.; Surg. G. Webb, 54th do.; Surg. N. Wallich, M.D., 44th do.; Surg. C. S. Curling, 83d do.; Surg. J. Gordon, M.D., 6th extra do.

Cornet appointed to do duty. A. Hall, with 2d L.C., at Muttra.

Ensigns appointed to do duty. W. Rogers, with 42d N.I., Cawnpore; W. Richardson, 42d do., Cawnpore; W. R. Barnes, 58th do., Agra; A. Gillanders, 60th do., Meerut; F. Beavan, 42d do., Cawnpore; J. C. Dougan, 2d extra do., Futtyghut; G. Pengree, 46th do., Dinapore; H. M. Nation, 68th do., Barrackpore.

Fort William, Sept. 5, 1828.—62d N.I. Ens. E. Ironside to be lieut., from 28th Aug. 1828, v. Macdonald resigned.

Cadets Rich. Lowry, Geo. Biddulph, W. C. Erskine, Wm. Lovelley, and T. H. S. Macleod admitted to infantry, and prom. to ensigns.

Messrs. Jas. Steel, R. B. Cumberland, and R. Fullarton admitted on estab. as assist. surgeons.

Capt. R. Benson, 11th N.I., and assist. sec. to gov. in mil. depart., to be military secretary to Governor-general.

Capt. E. Lawrence, 22d N.I., to be assist. secretary to Government in military department, v. Benson, and to officiate as deputy secretary during absence of Maj. Stuart.

Head-Quarters, Aug. 9, 1828.—Lieut. R. Thorpe, 14th N.I., permitted to resign situation of interp. and qu. mast. of that regt.

Aug. 12.—2d Lieut. C. S. Reid to act as adj. and qu. mast. to 2d bat. artillery, during absence of Lieut. Garrett; dated 1st Aug.

8th N.I. Lieut. C. H. Naylor to be interp. and qu. mast., v. Farquharson resigned.

11th N.I. Lieut. T. Gould to be interp. and qu. mast., v. Sewell prom.

20th N.I. Lieut. E. E. Ludlow to be interp. and qu. mast., v. Briggs dec.

32d N.I. Lieut. J. Woods to be interp. and qu. mast., v. Pyne prom.

35th N.I. Lieut. G. T. Marshall to officiate as interp. and qu. mast., during absence of Lieut. Hay.

Aug. 14.—Lieut. Col. Com. M. Boyd removed from 46th to 5th N.I., v. Nation dec., and directed to proceed to Delhi.

Surg. J. Fallowfield and Assist. Surg. J. V. Leese removed from 3d to 4th N.I.; and Surg. A. Murray removed from 4th to 3d N.I.

Removals in Regt. of Artillery. Maj. R. M. O. Gramshaw, from 1st to 5th bat.; Maj. C. H. Campbell, from 5th to 2d bat.; Maj. W. Curphey, from 2d to 1st bat., and to take command of div. of artil. at Nusseerabad.

Ens. W. Swatman removed from 20th to 65th N.I., at his own request.

Returned to duty from Europe.—Lieut. Col. John Hay, 17th N.I.

### HIS MAJESTY'S FORCES.

Head-Quarters, Simla, July 28, 1828.—Col. Sir Jeremiah Dickson, quart. mast. gen. of H.M.'s forces, having reported his arrival at Calcutta on 5th July, directed to assume duties of his office at head-quarters.

## FURLOUGH

To Europe.—Aug. 22. Capt. T. B. P. Festing, 33d N.I., for health.—Sept. 5. Lieut. G. Farquharson, 8th N.I., for health. Lieut. F. Streetfield, 71st N.I., for health.

To Cape of Good Hope.—Sept. 1. Lieut. E. Sanders, engineers, for twelve months, for health (via China).

To New South Wales.—Sept. 5. Brev. Capt. Alex. Wright, 72d N.I., for eighteen months, for health.

## LAW.

We promised in our last number to insert an authentic report of the charges delivered by the Chief Justice (Sir C. E. Grey) on the late trials under the stamp regulation, on the 13th and 14th August. We copy it accordingly from the Calcutta Gov. Gazette of August 25th, which states that great pains have been taken to make it even verbally accurate, but it has been found necessary to blend the two charges into one.

Sir C. Grey—"I must now enter upon the question, in what manner the jurors ought to deal with any matters of law, respecting which they may find doubts in their

their minds when they come to consider of their verdict. This duty has fallen upon me in consequence of the Advocate-general having stated, what had not escaped my own notice, that, for some time before these trials, publications have been made in some of the journals, giving an erroneous view of this subject; and in consequence, also, of my having heard the counsel for the defendants urge to the jury to-day, not only that they have a right to determine for themselves a doubtful question of law, but further, what I did not expect to hear from any counsel, that if the jury doubt whether an established and registered regulation be not repugnant to the laws of England, they may treat it as a nullity.

“ Let me in the first place explain that, whatever verdict the jury may give, they have nothing to fear; not only no punishment or trial, or inquiry, but no future censure nor imputation of wrong motives. Whatever my opinions may be of the result, my mouth will be closed when the verdict shall have been given; you have nothing to fear but God and your own consciences.

“ The ground which I take in the outset of this consideration is not that the jury has not a right in all classes of cases, when there is a general issue, to find a general verdict; nor that they ought not, in every case, to take both the law and the facts of it into consideration; nor even that there is no case in which they may not act upon their knowledge that the law is different from the direction of the judge. But what I do say is that, with the exception of an extreme case of necessity, which I shall presently point out, though they always have the means and opportunity, yet they never have the right of opposing the direction of the judge upon a point of law, nor can do it without usurping that which does not belong to them, without giving an unfair advantage to one of the parties to the suit, and doing an injustice to the other, without either misunderstanding or disregarding the obligation of their oaths. It is not difficult at once to put an extreme case in which few will deny that a jury must disobey the direction of a judge, nor again to put another in which every one will see that, if they were to do so, they would be guilty of flagrant injustice. Some of the rules of our criminal law are so plain that all may understand them: God forbid it should be otherwise. If a corrupt and wicked judge, in a case of life and death, were wilfully to direct a jury to find a verdict, contrary to the plain and well known law of the land, and if the jury were to understand that the death of an innocent person would be the consequence of their obeying that direction, there is no one so bigotted to rules as not to acknowledge that it would be necessary for the jury to use the power which

they have of finding a verdict in opposition to such direction. On the other hand, if a jury, unskilled in the law, upon the trial of an ejectment, were to decide upon the effect of a fine or recovery, or a question of contingent remainder of executory devise, in opposition to the correct direction of a judge, it is equally plain that, as far as in them lay, they would rob one of the parties to the suit of his property.

“ You will ask me then, if there are some cases in which a jury must oppose the direction of a judge, and others, in which they must not, to point out to you the rule of law, which marks the distinction between the two, and to define the two classes of cases. Allow me to say that the various applications of the rule are to be learnt only by becoming in some degree conversant with the spirit of the law, by surveying the bearings of its different parts, and by acquiring the knowledge which is necessary before inferences can be drawn correctly from its general maxims. The rule itself is simply that the judges are to determine all doubtful law, and the jury all doubtful facts; and even that which may appear to be an exception to the rule, is no exception when rightly understood. Such a rule appears to me to be in no way derogatory from the respectability of juries, but to arise out of a principle which is not only amongst the foundations of society, but pervades every part of it—namely, the surrender of the opinions of individuals to persons selected by the state for the expression of a more general opinion. One principal difference between the savage and the social state is that, in the one, each man acts according to his thoughts; while, in the other, individual varieties of thought are surrendered to those who are appointed to express and give effect to an union of them. If we do not mean to return to a worse than savage state, we must be sometimes content to obey laws of which we do not approve, and which are made for us by others. Nor does it seem to be more unreasonable that jurors, taken from the body of the people, shall forego their own opinions of a difficult system of law, and submit them to those who are appointed to interpret it. In what way can any law subsist in a permanent and intelligent form, if every one capable of sitting on a jury may with impunity pervert it as he pleases, or act upon his own opinion of its validity or construction?

“ The rule which I have stated to exist is usually expressed in a Latin maxim which Lord Mansfield affirmed to be an universal one in our law, and without an exception: *Ad questionem juris non respondent juratores: ad questionem facti non respondent iudices.*

“ That this must of necessity have been the practice in a very early stage of the English

English law, whatever it may have been in a still earlier one, must be known to every one acquainted with its history. Shortly after the Norman conquest all proceedings in the superior courts came to be carried on in the Norman language, and the reports of proceedings, and the greater part of all legal authorities, continued to be written in that language for several centuries. Very early, also, judges of circuit were permanently and regularly established, and the system has continued to this day. How were Saxon jurymen to determine questions of law arising before Norman judges, by rules of law existing chiefly in Norman writings and discussed by lawyers in the Norman language? I am induced to draw your attention to this period of antiquity chiefly because there is in it something which bears a resemblance to our present situation in this country. The English law and language have been partially introduced; Hindu and Mahometan jurors are already admitted to assist in the administration of the English law. Would it not be an absurdity, that these jurymen should solve doubts arising out of the maxims of Littleton and Staunford?

"The rule which I have stated is apparent also in the circumstance that in many civil cases the questions of law are sifted, as it were, from the questions of fact by the process of pleading; and it is admitted by every one that, where this is done, facts alone are left to the jury, and that the law is properly reserved for the court. I know that those who have found it difficult to reconcile this practice with their doctrine, have attempted to answer it by affirming that the right of the jury in civil, is different from what it is in criminal cases; but they have no foundation for their assertion. In many civil cases, such as ejectments and actions on the case for torts, the plea is as general as to an indictment. In criminal cases, as well as, in civil, the jury may upon all occasions cast off all responsibility, as to the law of the case, by finding a special verdict. The judges, on the other hand, cannot divest themselves of this responsibility; but must, either at the trial, or in the superior courts, declare the law: and the difference between the cases in which the law is separated from the fact by the pleadings, and those in which it remains to be separated by the considerations of the judge and jurors, is not that the jurors have a different right, but that they ought to exercise the right they have more cautiously.

"When a legal doubt exists, if the jury find a verdict contrary to the direction of the court, they prevent that doubt from being cleared and decided; whereas, by obeying the direction, or by finding a special verdict, they, in almost all cases enable one or other of the parties to carry the question before a higher tribunal, and, in

all instances, they leave the responsibility of declaring the law with the person appointed to interpret and declare it. In a great many cases it is morally impossible that the jury should know how to determine the law, though there is no case in which it is not possible that any persons may believe themselves capable; but if, in such a predicament, they avoid giving a verdict according to the evidence of the facts, they make a vague opinion a reason for not observing their oaths. But it is not on an insulated maxim nor upon inferences that this rule rests. It was formally declared and acted upon by the Court of King's Bench, in the case of 'the King against the Dean of St. Asaph;' and since the time when it was thus solemnly pronounced it has not been altered, but confirmed, and remains to this day the declared and acknowledged rule of law. No subsequent legal decision or authority will be found opposed to it. It is true that there was another point in that case upon which the judges entertained opinions, which, as it seems, were afterwards held by the parliament to be not in conformity with the law; and a statute, passed in 1792, and usually called the Libel Act, which corrected a practice founded upon those notions, has, by some confusion of ideas, been frequently supposed to acknowledge or confer upon juries the right of determining doubtful questions of law in cases of libel. That statute is neither more nor less than a mere declaration that upon the trial of an indictment or information for publishing a libel, the jury may give a general verdict upon the whole matter in issue; and the judge shall give his opinion and directions on the matter in issue in like manner as in other criminal cases.

"The error which that act corrected, if any, was a practice of the judges, when no exculpatory evidence was produced on the part of the defendant, to direct that the only facts in the case, and consequently all that the jury had to consider, were the publication of the written words, and the intention to apply them to those persons and things to which, in the indictment, they were charged to be applied by *inuendo*. The judges of that time thought that if these facts were established, the only remaining question, namely, whether the words so published constituted a misdemeanor, was one purely of law, and not of fact, and ought to be entirely reserved for the court. Their mistake, if there was one, lay in this latter part of their opinion. Such a question seems to have been considered by the parliament to be a mixed question of law and fact, in the same way, though not to the same degree, as the question whether a man, who has killed with a sword, has committed murder; and that words, apparently criminal on the face of the indictment, may, without any evidence

dence for the defendant, appear on the trial, by context, and in other ways, to be innocent.

"The object of the statute then was to enable the jury to decide upon all the facts of the case, and to apply them to the law as declared by the judge; but it was not the object of the statute to revoke or condemn, or in any way affect, the universal rule that questions of law are to be answered by the judge, and questions of fact by the jurors. Juries in every case, where there is a general issue, have the means and opportunity of acting upon their own notions of the law by returning a general verdict. If they are satisfied that the direction of the judge is in conformity with the law, as it is established, they cannot, on account of their disapproving of the law, oppose the direction of the judge, without usurping the rights of the legislature, which is the only body in the state that has a right to say what ought or ought not to be law; nor without disregarding their oath, which is to give a true verdict, according to the evidence.

"In all doubtful cases, in which the jury do not surely know whether the direction of the judge is in conformity with the law or not, they cannot return a general verdict in opposition to the direction of the judge, without usurping the rights of the judge, and doing injustice to one or the other of the parties between whom they have to decide; because he who has the facts on his side has a right to have the law taken according to the direction of the judge or some higher tribunal, and not according to the opinions of the jurors. In this case also there is either a misapprehension or a violation of the oath the jury have taken, because, being sworn to return a verdict according to the evidence, and having the opportunity of finding a special verdict, they make their own uncertain opinion of the law the means of escaping from the duty they have sworn to perform. But if in a plain case, well and certainly understood, in which the judgment or execution would not be arrested by any higher authority, a judge were to give a wilfully wrong direction, and the evil consequences of obeying it would be immediate and irremediable, it would be a case of necessity, in which the jury would be justified in returning a general verdict in opposition to the direction of the judge. When I say this, the historical accounts which we have received of some trials in our own country, which were strongly influenced by political circumstances, are in my mind, and I will name, amongst them, that of Col. Sydney. Those accounts shew, if they be true, that instances have occurred which would justify juries in disobeying the directions of a judge; I would have done so myself. Such cases are the only ones in which there

is the appearance of a right for juries to determine the law in opposition to the direction of the judge; but any one who is accustomed to the consideration of legal principles will perceive at once, that the right in these cases is not that of determining the law, which is not supposed to be in doubt, but a right only to disobey a direction which is manifestly a violation of the law; and even this right can be supported only by the necessity arising out of the circumstances.

"Before we consider how these rules bear upon the present case, it will be right to say a word upon the distinction between questions of law and questions of fact: a very elementary inquiry, certainly, but one which cannot be deemed unnecessary, where it is said that, whether the defendant accepted an instrument which ought to have been stamped, is a question of fact; and when it has been asserted also by the counsel for the defendant that, on the same grounds on which juries have frequently been directed to give a prisoner the benefit of any doubt that they may have as to the evidence, he is now entitled to the benefit of any doubt which the jury may have upon a point of law.

"What has been done by a defendant? 'in what manner?' and (in cases where the intention is material), 'with what intention?' are questions of fact, though the last is almost blended with the law; but I hope it is not absolutely necessary to explain that, 'what does the law provide?' must always be a question of law. Whether or not the paper on which the defendant is proved to have written his acceptance ought to have been stamped depends upon the question, whether the law has or has not provided that it should be, and there is no question which I know of, or can imagine, which would be more purely one of law than this, or which, by any form of pleading, would be more distinctly separated from the fact than this is, by the mere statement of it. As to the defendants being entitled to the benefit of any doubt you may have, if this were to be asserted with a reference to the evidence of any fact in the case, you would never find me inclined to deny it; but it is the first time I have ever heard that any doubt in the mind of a jurymen, as to a point of law, is to produce the result of an acquittal. It is a maxim which would very much reduce the number of convictions; and though I could not pass it over without notice, it deserves no serious answer.

"What are the points of law then, which you have been urged to decide for yourselves, and to which I am to apply the rules I have already stated to you?

"The first is, whether the instrument which has been produced in evidence, and which is a bill of exchange, is one of any of

of those sorts of instruments which are specified in the schedule annexed to the stamp regulation. Upon this point, as you have heard, there is a difference of opinion amongst the judges. Two of us think that it is, and the other judge considers that it is not. The schedule specifies, first, 'bills of exchange, drafts, promissory notes, hoondees, teeps, burats, or other order or obligation for the payment of money payable at any date not exceeding three months after date;' but as this bill of exchange is payable at ten months, it does not fall under this part of the schedule. In another part, however, are specified 'bonds, tumusooks, promissory notes, or other obligation for the payment of money payable at a period exceeding three months after date.' It is objected that this regulation must be construed as strictly as a penal statute, that it imposes penalties only in the cases which are specified in the schedule, and that, inasmuch as the word 'obligation' usually means, in the common law of England, an instrument under seal, that term is not a sufficient specification of a bill of exchange.

"My own opinion, on the contrary, is that this schedule is not to be so strictly construed. Properly speaking, it is not a part of the regulation on which this information is founded, though it is of necessity referred to in it. The imposition of the tax belonged to the Governor-general in Council, with the sanction of the Court of Directors and the Board of Commissioners for India; that which required registry in this court was not the tax itself, but only a regulation for enforcing the tax. This court could not annul, introduce, or vary a single word in the schedule, and had nothing to do with the framing of it. The question then is, whether a schedule framed by the Governor-general in Council, for the purpose of specifying instruments requiring stamps amongst a mixed people of British, Hindus, and Mussulmans, is to be construed with a strict adherence to the most appropriate use of the terms in the English law. I think not; and if a general term was to be sought for the purpose of including that great variety of negotiable instruments which are circulated in Calcutta, it might be difficult to find a better one than 'obligation for the payment of money;' which is the term most frequently employed in the civil law, and though seldom, is sometimes, used in a general sense by the writers of our own. The words 'obligatory instruments,' have been used for the same purpose even in the schedules of the modern English stamp acts. If the term may include bills of exchange, it is not pretended that it could have been the intention of those who framed this schedule that it should not do so. It would be ridiculous to contend that they meant to

make any difference between promissory notes and bills of exchange, or that any mercantile man could have supposed so.

"Then, although through inadvertence bills of exchange of a longer date than three months are not separately named in the schedule, which no doubt would have been the better course, they seem to me to be sufficiently pointed out for the purposes of such a document by the two portions of it which have been read to you.

"This opinion, in which one of the other judges agrees, is the opinion of the majority; and, according to the constitution of the court, if we had been sitting in term time, our expression of that opinion would have decided the question of law, as far as it can be decided in this country; it is as much decided as it can be for the present. With all the respect, therefore, which I most sincerely entertain for the opinion of the judge who differs from me, I do not think it respectful or right that the counsel for the defendant should presume to put it to the jury for their consideration as an undecided and doubtful point of law, and, in this, I know that my brother Ryan agrees with me: but, doubtful let it be, and more than doubtful—difficult. It seems to be a strange argument to say, that because a question of law has so much of difficulty in it that the judges cannot immediately agree upon it, it is therefore fit for the decision of the jurors. It is not their province to determine this doubt, but that of the court in term time, when it may be brought before us by a motion for a new trial, and if the defendant be dissatisfied with our more deliberate decision then, he shall have leave to appeal.

"To the consideration of the second point of law which has been put to you, I do not proceed with any good will. You have been asked to take upon yourselves the determination of the question whether the regulation on which this information is founded is not repugnant to the laws of the realm; and that, to which your attention has been directed as law, is chiefly some assertion of the privilege of Englishmen to pay no taxes but those which are imposed by their representatives. The regulation thus called in question is one which, under the authority of an act of parliament, was made by the Governor-general in Council, and registered in this court, subject to its being annulled by his Majesty within a certain time; and the object of it is to enforce a tax which also was imposed under the authority of an act of parliament by the Governor-general in Council, with the sanction of the Court of Directors and his Majesty's ministers. The tax may therefore be said, in one sense, to have been imposed by the authority of the parliament itself. It was imposed by those to whom the authority of parliament

parliament was delegated by parliament; but it is, at least, of as much force as a law passed by the Houses of Assembly in any of the western colonies. For the purpose of making such regulations, the bodies, to whom I have stated that the power is delegated, are as much the local legislature of this place as the Houses of Assembly are in the West-Indies. If, after such a regulation is registered, every jury is to be at liberty to decide upon its legality, the consequence is, not only that every juror must be taken to be a better judge of the law than the Board of Commissioners for India, the Court of Directors, the Supreme Government, and the Supreme Court collectively (and I believe I may add that the judges of the other Supreme Courts did not disapprove of the judgment of this); but juries will, in fact, usurp one of the offices of the legislature, or rather the crown, by refusing to give the law effect: and upon the same principles on which you have now been solicited to treat this regulation as a nullity, every jury in England might be asked to consider whether an act of parliament was consonant to the law of nature, or to the law of God. If you will consider the variety of sects and parties in religion and in politics which every where exists in England, you will see to what results the indulgence of the speculations of jurymen upon such points would lead: but you will see still greater cause for apprehension, if you contemplate the cases in which Brahmins, Mahometans, and Christians may all sit on the same jury.

"All that has been said of your privileges to be taxed only by your representatives, is inapplicable here. It is no part of my duty, upon this occasion, to acknowledge or to controvert such maxims: I am not called upon to express an opinion even of what took place in America. You are here placed in entirely different circumstances. When Englishmen first came to India they did not come as colonists, nor did they find an empty country, nor one without laws: they came by the license of a Company who were patentees of the King, or under restrictions imposed by parliament, into a crowded land, and regularly constituted state, where there was a system of laws older than their own, which has since been adopted by our own government, and for many important purposes is the law of the country up to this day. We did not bring with us all our laws, as appurtenant to our persons; but after we had obtained a footing in the country, such portions of them as are inseparably connected with our allegiance, were confirmed, and others were given by charters and statutes; and you have no more, you are entitled to no more than this now. Assuredly it is no part of it that you are to be exempt from all duties

or taxes but those imposed by representatives elected by yourselves.

"Having thus unequivocally declared to you that the two matters of law, of which it has been attempted to make questions, cannot, without a violation of law, be referred to your determination, let me now call your attention to some of the evil consequences which may follow from your taking the law into your own hands. I speak not of consequence to yourselves individually, but to the community with which you are members. Some of you, probably, are amongst those who wish for a freer intercourse between this country and the United Kingdom; there is no one perhaps who does not wish that, at some time or other, it may take place. If it is to be so, we must expect to bear our share of the burthens of this country; and no provision could be securely made for that purpose if there should be ground for supposing that, rather than pay taxes, British jurors would take upon themselves to determine that the regulations by which they might be imposed were illegal. Consider, further, that British persons must not be permitted to set foot beyond the threshold of this land in any numbers before they are made amenable to the courts of the interior; but at present they are not so for any crime above the degree of a misdemeanor. What would you think of being made amenable in capital cases to a native jury, which should have the power of determining both law and fact?

"The present trials may be considered as a crisis marked by two peculiar circumstances. At the last renewal of the charter, as it is usually but improperly called, in 1813, a power was, for the first time, given to levy taxes on British persons: the stamp regulation is the first which has been registered for that purpose in this court: these are the first informations and the first trials under that regulation. Again, within the last two years an inclination has been shewn to procure a more extensive introduction of the trial by jury. The conduct of the juries, at this moment, under the solicitations which are addressed to them, may have an influence as well upon the form in which this branch of the revenue shall be ultimately established, as upon the decision of the question, whether the jury system shall be more widely extended, or if it be, whether it shall be in a pure and free form, or subject to modifications and restrictions. This, I believe, is the first occasion upon which a jury has ever been called together to try a revenue case in this country. The judges found that in the statute of 13 Geo. III. c. 63, it was provided that all offences tried in this court should be tried by a jury, and they thought it right, though it may be doubted whether it is not at variance with former practice, to construe the term

term 'offence' as applicable to the present case; but you must be aware that there are other modes of procedure than this; that there is scarcely any country in the world but our own in which a revenue case is ever brought before a jury; that there is much even of English process which has not yet been resorted to here; and especially that there is one provision which has subsisted for many years in England, and which would go far towards enforcing this stamp regulation by its own force, and without the assistance of juries. I was glad, when the regulation was first brought before us for registry, to find that it did not make unstamped instruments inadmissible in evidence; but if it should be believed that juries will go out of their proper province for the purpose of defeating an established regulation, is it to be expected that the legislature will refrain from the adoption of so obvious a resource? In various ways, if it should be necessary, it may be arranged that juries shall not much longer have any voice in such matters.

"But if we look to the extension of the system of trial by jury, it is manifest that it cannot take place at present amongst the natives if it is to carry with it a right of determining the law. Without imputing to them, as a people, any thing more than inability to interpret our laws, it is not too much to say that no man's life or property would be secure. But who will say that instances would not occur of something worse than inability? In that worst of all sorts of government, a corrupt democracy, the Dicasts of Athens were importuned and bribed in her public places. In the avenues of this court in which we sit, poor wretches offer themselves for bail, like those who, I am sorry to say it, have haunted the courts of England for a similar purpose, displaying the signals of their infamy to attract customers for the sale of their oaths. My mind will not bear to contemplate that there is any lapse of centuries within which it is to be anticipated that English jurors could be brought to this stage of corruption. But can we be equally secure of all other persons, in this conflux of nations, amongst people of every origin, every habit, and every superstition? If such apprehensions should not entirely prevent the extension of the trial by jury, they may subject it to restraint and modification. It would not be very difficult to provide for the separation of the law from the fact by the forms of pleading in any case; and though attainments have been recently abolished in England, juries, by an abuse of their powers, might make them here, under certain modifications, a necessary check. Do not either prevent or impair an institution which might be to India the germ of incalculable benefits.

"Though I have called your attention to these consequences, I hope it is without necessity. Lord Mansfield, when he denied with the greatest earnestness the claim of juries to judge of the law, admitted that the main security against their assumption of the power was the honesty of jurors. This has hitherto been found sufficient in England, and when it ceases to be so there it will be a fatal sign of the times. When the different authorities of an old state begin to encroach on each other, and the solemn obligations under which their duties are assumed have no longer their ancient force, it marks the failure of that common sense of right and wrong, which is the soul of a free people. A despotism may subsist by fear, an absolute monarchy, it is said, by honour; but a free state cannot live long without some common sentiment and common standard of right; nay, erroneous principles, and even an erroneous religion, may give an unity and vigour to a state which cannot exist where there is no unanimous acknowledgment of a principle at all. Of the free states, antiquity, though their decay was produced by the influence of a philosophy which cleared the way for better institutions, and it is not for us to lament the fate of them, it may nevertheless be stated as a fact, that the commencement of their dissolution is to be dated from the time when their institutions were left destitute of the sense of religious obligation, by which they had been animated in their origin. The different parts of the state, from being manifestations of beauty, or instruments of order, became then either lifeless masses or distorted and convulsed limbs. Whatever apprehensions any signs of such a state of things might excite if they were to be seen at home, they must here, I trust, be symptoms of immaturity rather than decay; they might make us fear that our expectations had been too sanguine, but would not make me despair: I should feel that though we might at present get the framework or body of the jury system, the moment had not yet arrived when we could find the spirit and the feelings which ought to animate it.

"It is enough for me to have done my duty, which, in this case, is only that you shall not be left to do what is wrong for want of being informed what is lawful. I have stated to you before, and I repeat now, that if, in your consciences, you entertain doubts as to any of the facts of the case, you will do right to find a verdict for the defendant; but if you have no such doubts, then, with all the earnestness with which I may be permitted to speak, I exhort you to reject the solicitations which have been made to you to assume that which is not your right. I exhort you by your regard for the universal distinctions of right and wrong, for the only

only foundations on which law or justice can stand; for the interests of India, for the character of English juries, for your own peace of mind.

"I can understand the gratification of obtaining a triumph of party, or the desire of being relieved from the burthen of a tax; but I cannot enter into the feelings which would make a jury resort to illegal means to obtain such an object. You will live, I hope, to sit on juries at home, where feelings of this sort do not exercise their influence within so confined a space; and it would be a sore thought for any one to carry in his breast that, in another place, and other circumstances, he had deviated from solemn obligations upon grounds for which he would find no support in the principles or conduct of his countrymen."

### MISCELLANEOUS.

#### LAZY PETITION AGAINST COLONIZATION.

By the Honourable the Commons of the Kingdom of Great Britain and Ireland in Parliament assembled.

The humble Petition of the Native Zemindars, Talookdars, or Landholders of Bengal.

Sheweth, that your petitioners are exceedingly aggrieved at learning that the British inhabitants of Calcutta have transmitted a petition to be presented to your honourable House, praying, among other things, for abolishing all the restrictions on the resort of British subjects to, and on their residence in India, in consequence of which your petitioners beg leave respectfully to lay before parliament their grievances for consideration and redress.

That your petitioners are under great alarm, and humbly declare, that if Europeans (who are not subject to the jurisdiction of the country courts), be allowed to settle in Hindustan, without any restriction, they would spread all over the country and injure the stability of this empire; for which reason the local government in India was pleased to pass Regulation 38 of 1798, directing that "No European, of whatever nation or description, shall purchase, rent, or occupy, directly or indirectly, any land out of the limits of the town of Calcutta, without the sanction of the Governor-general in Council, and all persons now so holding land beyond the limits of Calcutta, without having obtained such permission in opposition to the repeated prohibitions of government, or who may hereafter so purchase, rent, or occupy land, shall be liable to be dispossessed of the land, at the discretion of the Governor-general in Council, nor shall they be entitled to any indemnification for buildings which they may have erected, or other account."

That in the districts where the Indigo planters and others have in a manner set-

tled themselves, the people are more injured and distressed than in other parts of the country, in consequence of such indigo planters taking possession of lands by force, sowing indigo by destroying rice-plant (which is the cause of diminution in the produce of rice, and dearth of the articles of consumption), detaining cattle of, and extorting money from, poor individuals, whose frequent complaints induced the Indian government to pass Regulation 6, 1823; nevertheless, if they be permitted to hold any zemindary, or landed property here, the native zemindars and their ryots must be unavoidably ruined.

That the natives of India, particularly those whose rank or superiority of caste, according to the usage of their tribe or religion, prevents them from going to other divisions of the globe for employment, and from doing any menial duty, work, or trade, have no means of supporting their rank, nor of obtaining any public situation in their native country, the only office of dewan which was left for them, has since been abolished, in consequence of which they have no other means to subsist on than their landed property, which is neither absolutely secure, owing to the enforcement of several regulations of government, especially of the Regulations I. of 1818, II. of 1819, and XI. of 1825. Under these circumstances should their real estate (which is subject to public sale for the recovery of arrears of revenue, &c.) be allowed to be purchased by foreigners, they would inevitably labour under great distress and difficulty for the necessaries of life and for the preservation of their rank and character.

Your petitioners, therefore, most humbly entreat, that the well known justice of your honourable House will kindly be pleased to pay due attention to this their first supplication, and reject the last prayer in the petition of the British subjects above alluded to, which would greatly affect your petitioners' interests and the prosperity of British India, or grant them such other relief as the wisdom of parliament may deem meet and expedient.

#### TIGER FIGHT.

Extract of a letter, dated "Meerut, August 12, 1828:—I shall conclude my letter with an account of an adventure which I met with a few days since. Towards the latter end of last month I arrived at the banks of the Ganges, opposite to the Gurmukhteser ghaut, on my return from Bareilly, whither I had been dispatched with treasure. The place of encampment was close to the river and nearly surrounded by jungle. In the middle of the night my slumbers were disturbed by loud shouts, proceeding from my servants, who, on my running to the



door of the tent, directed my attention to a couple of tigers, which by the assistance of a bright moonshine I could distinctly perceive. They were making for the jungle, and one had on its back what appeared to be a bullock, the other followed close after. I immediately took the determination of proceeding towards that part of the jungle in which they disappeared. Having well armed myself and two of the stoutest hearted of my servants, I sallied forth, but had not gone far when the most violent roaring became audible. I then felt convinced that the combat, which I from the first anticipated, had now commenced. I hurried on in the direction from which the sounds came, and these became every moment louder, and, I may say, more terrific. I approached, as near as I prudently could, the place, which I found to be an open spot surrounded with jungle, near to the edge of which I posted myself. The tigers were on their hind legs fighting with the most determined fury, striking each other with their fore paws, any one blow of which would, I imagine, have been sufficient to smash the head of a human being. All this was accompanied by roaring and lashing of tails, and "the give and take" lasted for three or four minutes, affording no bad representation of western pugilism. At last they rolled together on the ground, when, after a severe struggle, one seized his adversary by the neck, and, judging from the increased roaring which followed immediately afterwards, must have inflicted a severe wound. This decided the combat, the other disengaging itself and skulking off to a short distance, whilst the victorious one seized upon the bullock. Nothing could be finer or more imposing than the appearance of the latter tiger as it rested its fore paws on the animal, lashing its tail and growling, whilst watching its enemy. This shortly after disappeared. It was my turn to try: I fired, but only struck it on the side, and before I could re-load, the wary beast retreated with the bullock, leaving me to 'plod my weary way homewards' with the mortifying reflexion, that I was not yet to be numbered amongst the 'happy few' who smoke their hookahs on the most enviable of trophies—a tiger's skin."

#### STREAM INLAND NAVIGATION.

The steam-boat *Hooghly*, we understand, proceeds up the river as far as Allahabad next week, with the design of ascertaining the practicability of establishing a steam communication with the upper provinces.—*Cal. John Bull*, Aug. 30.

#### AUXILIARY CHURCH MISSIONARY SOCIETY.

The fifth report of the Calcutta Auxiliary

Church Missionary Society contains the following statements.

At Calcutta the number baptized last year was twenty-four, of which thirteen were adults. The number of schools in this district is twelve, attended daily by about 600 boys, instructed in elementary books and portions of Scripture. The English school has been revived and contains sixty boys.

At Burdwan, two adults and one child have been baptized. The schools, fourteen in number, contain about 1,000 boys, about a third of whom read parts of the New Testament.

At Culna eight adults have been baptized. The attendance at the schools is better here than at any other station, but the report adds: "to have to say that so many hundred boys are daily assembled in the schools, would quite mislead the public if a conclusion should be drawn that even a half of the children were deriving adequate benefit."

At Goruckpore, two adults and two young persons were baptized.

The report mentions that, at Chunar, where fourteen adults and four children were baptized, two of the converts from Hindooism are members of families possessing landed property. One of them, baptized in 1824, was the eldest son of his father, and by the loss of cast, involved in embracing Christianity, became incapable of performing the *pojah* for his ancestors, and was *ipso facto* disinherited. For a time his family were estranged from him, but, by degrees, they began to understand the reasons of his change, and the father became so far enlightened by Scripture truth, as to commit, when dying, his property, and the care of the family to this convert, of whom Mr. Bowley writes, in April last, "regarding Swargdhan, he has, in consequence of taking charge of the village, property, &c., delivered to him by his dying father, been involved in law suits in the courts of Mirzapore and Benares; his father having left things in a very unsettled state. He, however, continues steadfast in the means within his reach. His New Testament, prayer-book, and a number of tracts, are his constant companions, and by means of his being thus entangled in the courts, the name of Christ is made known to very many from intercourse with him, who would otherwise have remained ignorant of Christianity." Before Mr. Bowley was compelled, by ill health, to leave Chunar, he baptized early in June six adult natives and two of their offspring, and on his return, in November, he baptized the wife of the Christian zemindar referred to.

At Benares, three adults and two young persons from among the natives were added to the church by baptism. The state of Joynarrain Gho-saul's school is reported,

ported, by several gentlemen who visited it lately, to reflect great credit upon his and Mr. Steward's care. The number of scholars is from 130 to 150, and varies little; the small allowance for food, distributed according to the will of the founder, being an inducement to some to attend, who might not be allured merely by the love of learning.

The missionary proceedings of nine stations are contained in the report, and the total number of converts baptized during the past year, comprehends forty-one adults, and nineteen under fourteen years of age.

The report concludes: "on the whole there appears a growing impression in favour of Christianity around every station where missions have been for some time established. Notwithstanding the ill health and other discouragements in the circumstances of the missionaries of the Society, a greater number, both of adults and young persons, have been baptized during the past year, than in any former year, viz. forty-one adults and nineteen under fourteen years of age. In this aspect of things the Christian cannot but rejoice, but there is danger lest too much importance should be attached to these and similar results, which are only as the commencement of what it may be hoped will lead to a plentiful harvest."

#### THEATRICALS.

We are glad to observe attempts are making to enliven the dullness of the season by dramatic representations. A performance occurred at the Fenwick Place Theatre on Monday evening, and one at Dum-Dum last night. We understand that the Calcutta performance was very numerously attended; that there were between two and three hundred persons present. We do not wonder at this; there is a large class of Calcutta residents, and amongst its visitants many young men to whom any public entertainment must be a great relief from the monotony of their existence. We are quite satisfied that they would furnish audiences to any theatre decently conducted, provided the rates of admission were moderate, sufficient to render the speculation profitable, particularly during the hot months. That the attempts of this nature, hitherto made, have failed, is the fault, we apprehend, of the actors rather than of the audience. The Fenwick Place Theatre is somewhat, we are informed, of a primitive character, being only a matted bungalow. That it is roomy is clear from the number of the spectators. It is also airy and open—so much so, that the interior is visible from the road. These are good qualifications for a summer theatre, particularly in the East.—*India Gaz.*, Aug. 19.

#### NATIVE PAPERS.

*Runjeet Singh.* The Lahore *Ukhar* states that the Maharajah was at Lahore up to the 22d July. It is added: "one day his highness said to his courtiers, the Company's army has for each battalion a large tent, and twenty-five d'hoolees, with bearers, and on the field of battle whenever a man is wounded he is taken up and conveyed in a d'hoolee to the field-hospital. Indeed every thing is arranged by them with consummate skill and judgment. He then ordered a number of ivory and gold hand-punkahs to be made to be presented by him to the Governor-general, together with baskets of European fruits. Dost Mahommed Khan with thirty or forty thousand horse and foot continues in the vicinity of Caubul, demanding from Sirdar Yar Mahommed Khan and sultan Mahommed Khan, the country of Peshawer. Yar Mahommed Khan had gone to Por Dil Khan, near Candahar. It was also stated at court, that the English had succeeded in establishing a peace between the Russians and Persians. The Maharajah said he knew it to be true, the fact had been officially communicated to him."

*Lucknow.* The *Oude* "court circular" states that there have been grand doings at Lucknow during the Mohurum, his majesty having munificently contributed large sums of money for the construction of most splendid tazeeahs, and the processions with elephants, horses, &c., are said to have been more magnificent than on any former occasion. Several disturbances, however, had occurred at this exciting period of the Mahommedan year, in spite of every precaution. In carrying the sacred bier from the Tazeeah-khana towards the burial-place of Shooja-oo-Doulah, the people belonging to Mirza Hyder, and the sepoys of the Nusrut Pultun, got to high words, and a bitter contest was the consequence. In short, the sepoys, being supplied with cannon and muskets, regularly besieged the house of Mirza Hyder, and several persons were killed and wounded on both sides. A woman with child was unhappily found among the slain. At length a better understanding took place, by the interference of others, and the besiegers retired. Hurkarus had been placed in every street and bazar throughout Lucknow to give notice of any disturbance in the city, notwithstanding which numbers were killed in the tumults that had occurred. The class of Mahommedans, who are followers of the four first khalifs, were ordered not to quit their houses at this period. It is said that some Mewattees, inhabitants of Poora, whilst engaged in the solemnities of the season, fell into a sharp dispute with a body of Syuda, and, in the struggle for mastery, twelve of the combatants

and several of the spectators lost their lives. As soon as intelligence of this conflict reached Mozuffer Ali Khan, he set off with his suwars to the spot and punished the offenders severely by confiscating their property, burning their houses to the ground, and sending several to prison.

*Hyderabad.* The nawab's health is improved; his highness's regimen of goat's milk has been abandoned. The *Ukhbar* adds: "the official occupations of Maharajah Chundoo Lal are still incessant. All day until midnight he is employed in the business of the state, after which he enjoys the sweets of relaxation, derived from conversation, singing, and music."

*Gwalior.* The young Scindiah continued well up to the 5th August: he was engaged "in the usual employment of his leisure, seeing wrestlers, horse races, and throwers of the javelin."

#### DISTURBANCE AT BARASET.

A contemporary paper mentioned some time ago that there had been some disturbance in the district of Baraset. We believe the facts of the case were, that a village in the district had been mortgaged to a native gentleman, a zemindar of great respectability, who is known to us; the mortgage was foreclosed and the village delivered over to the mortgagee, but the mortgager subsequently, at the head of a lawless crew hired for the purpose, obtained possession of it again *vi et armis*, and, in an attempt to recover the property for the rightful owner, the magistrate was repulsed, we believe; but since that, with a reinforcement from the police, the property has been recovered for him, though not without a desperate battle with sticks and swords, in which many were wounded. The poor ryots, however, were equally plundered by victors and vanquished, and the lawful owner of the village will have to make fresh advances to them all to enable them to cultivate the soil.—*Ben. Chron., Aug. 28.*

#### SUTTEE.

*Cuttack, April 15, 1828.*—A few days ago I witnessed a suttee. The deceased man was a Bengalee, named Ram Koomar; he died worth 5,000 rupees ready money, and left a beautiful young widow about nineteen years of age. Two of the man's brothers felt the unrestrained possession of this cash an object sufficiently important to induce them to attempt the removal of the young creature—their only obstacle; nor had they much difficulty in succeeding, for under the influence of grief for her irreparable loss, and aided by the superstitious hopes and fears excited by the brahmins, she soon declared she would become a suttee with her husband's corpse. Application was made to the ma-

gistrate, who, upon inquiry, discovered that the widow was deeply intoxicated, refused his permission, and directed the body to be burnt, hoping to prevent the immolation. The relatives, however, were not thus to be foiled in their attempt, and appealed to the commissioner, who handed the appeal to the Sudder Dewannee, in Calcutta. Fifteen or sixteen days elapsed before any decision was received; during which time all the interest, that had been excited in the public mind, had quite subsided. We hoped that the court, by neglecting the affair, would second the humane attempt of the magistrate to save the poor creature doomed to death; but we hoped in vain, for at the expiration of the above-mentioned period an official document was received directing that the sacrifice should take place. It is not easy to conceive the joy which the blood-thirsty brahmunical relatives manifested at this triumph, or the praises which they ascribed to the higher authorities, as "nourishers of their religion," "the friends of the gods;" things truly distressing to hear spoken of Christians. Having received these orders, the time and place were soon fixed upon. About half-past four o'clock I repaired to the place, the bed of the Cutgung river, where I found the poor woman surrounded by her inhuman murderers and supported by her old nurse. At her feet stood three or four pots of water, also a small copper vessel containing water and a red flower; and she was surrounded by an immense crowd of spectators. I placed myself as near her as I could not to come in contact with the vessels or her clothes, native fashion, and began to dissuade her from her purpose. Her attendants were highly indignant at me, and, on a hint being given her, she turned away her head and refused to hear. The arrival of the judge was the signal for preparation. He asked her if it were her desire to burn; she said "yes."—"Then," said he, "I cannot hinder you longer," and "hurree-bol!" rent the air. The officiating brahmun now began to read his formulas, placing her legs out at full length: this was soon over and they led the victim to the pile. Here they collected round her, some whispering, some encouraging, and others impregnating her clothes, hair, &c., with resin and oil, and some again were busy impregnating a quantity of flax with resin and such things. She was now led several times round her pile of death, the brahmun pronouncing blessings before her, and by her appearance she evidently thought herself blessed. Having completed her perambulations, all her attendants were ordered to leave her, when she deliberately turned towards the pile, and walking in, laid herself down, and waited the devouring flames. The relatives asked permission to throw some wood

wood on the woman, but the judge refused. The next near relative now stepped to the pile's mouth, and having read an incantation to relieve his soul from sin, he lighted a whisp of straw and walked once round the pile with it, and then buried it all flaming under the flax and straw at the head of the pile inside, just before the victim's face, and in a moment the whole was enveloped in flames. We now looked for an attempt to escape; but no: while the fire devoured her beautiful head of hair, she shook her head and again laid it down; soon I saw her raise her legs in the agonies of death, then lower them, and all was over. Inhaling the smoke into her lungs she was suffocated very soon.

The scene now impoverishes all description: the horrid joy of relatives, the fire, the tormented victim, the shouts and music of the multitude, all conspired to impress my mind with the idea that certainly this was hell. I made my way out of the crowd and ran home. Our good magistrate has acted like a Christian and a philanthropist, the highest style of man, throughout the whole business, and had his decisions not been counteracted by a higher power, he would not only have peaceably saved the life of this poor deluded victim, but by doing that would have saved the lives of many more; for, after such a repulse few would have attempted to perpetrate such a deed again. Now, it is to be feared, the contrary will be the lamentable result, yet an attempt so merciful shall not lose its rewards.—*Friend of India.*

#### LIEUT. COL. KELLY.

Lieut. Col. Edward Kelly, formerly of the 2d regiment of Life Guards, late of H.M.'s 6th regiment of Foot, was born at Port Arlington, Queen's County, Ireland, in 1771. He died on the 6th August last, at Mullye, in the district of Tirhoot, after a painful and protracted illness, originating, it is believed, in a disorder peculiar to the vicinity of Moal-mien, where he had served a considerable time as adjutant-general to the force under Sir Archibald Campbell.

Colonel Kelly possessed, in an eminent degree, the qualifications of a cavalry officer. During his long period of service he had been successively attached to the personal staff of some of the most celebrated commanders of that arm of the forces; and short as his course in India has been, it was his fortune to distinguish himself in that capacity at the siege of Bhurtpore, where he acted as assistant adjutant-general of cavalry.

At the battle of Waterloo, he nobly distinguished himself, by leading the charge made by the Life Guards on the French Cuirassiers.

To a sound judgment, cool determination, and great personal activity, he united urbanity and openness of manners, a manly freedom from all pretension; singularity, or affectation, and a singular candour and liberality in recognizing the merits of others.

Notwithstanding the extent and duration of Col. Kelly's military career, he died a regimental captain; but this is no reproach to the service. An increasing family required his utmost exertions, and induced him twice to retire from the army, thus denying himself the advantages of promotion, which has placed several of his contemporaries in the rank of lieutenant-general.

Although his ready wit, his inimitable humour, his rich and varied talents for conversation, caused him to be courted in society, he was, perhaps, seen to most advantage in the domestic circle. In the privacy of his family he spent several years in a state of rational, though retired, enjoyment (near London) previous to accompanying Lord Combermere to this country, chiefly in the hope of promoting the prospects of his only son, a most promising young officer in the Hon. Company's service, on the Bengal establishment, whose late premature death, under the most affecting circumstances, concurred to accelerate his father's.

Colonel Kelly was fifty-seven years of age. In person he was much beyond the ordinary size, of a manly and soldier-like presence; his countenance animated and expressive, his deportment dignified and graceful. To these was added a remarkable vigour of bodily frame, apparently calculated to carry him through a much longer life than it pleased Providence to extend to him. He fell a sacrifice to his determination not to quit India until he could accompany a noble friend to whom he was greatly devoted.

Colonel Kelly was a knight of the military order of St. Anne of Russia, and an extra aide-de-camp on the staff of the Right Hon. the Commander-in-chief in India.

#### THE NEW GOVERNOR GENERAL.

It gives us no small pleasure to find that the Governor-general, by adopting that policy which distinguished his government of Madras, is becoming very popular. All unmeaning and useless etiquette has been banished Government house, and his Lordship is as free of access to the poorest as the most wealthy.

We are happy to find that the Governor-general and family are in good health, and avail themselves of every opportunity of partaking of the amusements of the place and season.—*Mad. Gaz., Sept. 13.*

## THE STAMP TAX.

The late proceedings on the stamp regulation prosecutions have precedence of every other topic of conversation, and are uppermost in every circle; it would appear that other informations have been filed in the Supreme Court, but it is not supposed they will be persevered in; indeed it is rumoured, that the tax will be abandoned. Whether this is true or not, it is very evident that its operation will be so limited, and attended with so much annoyance, that the trifling addition which it makes to the revenue will be considered as of no importance when put in competition with public opinion, which is so decidedly against it, and has been so particularly manifested. —*Mad. Gaz., Sept. 13.*

## DISCONTENT AMONG THE EUROPEAN TROOPS.

About a week ago we heard something of the European troops at Cawnpore having manifested some discontent, and a rumour has got abroad that they had actually proceeded so far as to burn down the barracks. We should hope, however, that this is an exaggeration. At Ghazee-pore, also, we learn that a company of the 44th had manifested a similar spirit of dissatisfaction. We have no doubt if these rumours should be correct, that prompt, and wise, and energetic measures have been already adopted to restore order, and that while the refractory troops will be taught that insubordination and mutiny are not the means by which British soldiers ought or will be permitted with impunity to seek redress for grievances; if it be found that they have any real cause of complaint, it will be removed on their returning to their obedience and duty.—*Bengal Hurkaru, Aug. 12.*

## BIRTHS.

June 14. At Bareilly, the lady of Capt. C. J. C. Davidson, Engineers, of a daughter.

July 1. At Futtchgurh, the lady of M. Moore, Esq., civil service, of a son and heir.

18. At Sehor, in Bhopal, Malwa, Mrs. F. W. Pierce, of a daughter.

19. At Neemuch, the lady of Lieut. Alexander, of a daughter.

30. At Dinapore, the lady of Lieut. F. E. Smith, 1st extra N.I., of a son.

— At Calcutta, Mrs. C. Lefever, of a daughter.

Aug. 15. At Hummeerpore, the lady of G. Turnbull, Esq., civil surgeon, of a daughter.

18. At Digga, Dinapore, Mrs. D. Penhearow, of a son and heir.

20. At Calcutta, Mrs. Gentloom Aviet, sen., of a daughter.

23. At Calcutta, Mrs. Fisson, jun., of a daughter.

— At Calcutta, Mrs. John Jahans, sen., of a son.

25. At Calcutta, Mrs. W. Adam, of a son.

26. At Calcutta, Mrs. Jas. Jahans, of a son and heir.

— At Futtchpore, Bhitourah, the lady of W. T. Robertson, Esq., civil service, of twins—a son and daughter.

Sept. 1. At Howrah, Mrs. Fran. Grose, of a son.

5. At Calcutta, Mrs. J. Thomas, of a son.

— At Calcutta, Mrs. J. Sinclair, of a daughter.

5. At Calcutta, Mrs. Joseph Young, of a daughter.

— At Calcutta, the lady of John Brightman, Esq., of a daughter.

## MARRIAGES.

Aug. 7. At Bellaspore, Capt. J. W. Bayley, major of brigade, Nagpore service, to Annabella Maxwell, youngest daughter of the late H. Crawford, Esq., of Greenock, and sister to Capt. Crawford.

14. At Ghazee-pore, J. H. Stonehouse, Esq., to Julia, second daughter of J. H. Clark, Esq., formerly in the service of his Exc. the Nuwab Vizier Saadut Alee Khan, for a number of years, and also in that of his late Majesty the King of Oude.

22. At Titalya, Lieut. Geo. Miller, 25th N.I., volunteers, to Miss C. E. Adams.

Sept. 1. At Calcutta, Mr. J. Guyer, trader, to Mrs. Ann Harris.

9. At Calcutta, Lieut. C. H. Whitefield, 46th N.I., to Ann Olivia, daughter of A. Duff, Esq., of Calcutta.

3. At Calcutta, Mr. Edm. Bartlett, H.C.'s marine, to Miss Amelia Bails.

— At Calcutta, Mr. Jas. Broders, to Miss M. A. O'Kief.

## DEATHS.

July 22. On the river, near Chinsurah, of liver complaint, Lieut. D. Ramsay, 14th N.I., in his 21st year.

Aug. 7. At Allyghur, Ens. N. G. Mlen, H.C.'s regt. N.I.

11. At Calcutta, Mr. Bentley, assistant to Mr. Shellingford, indigo-planter, Ramnaghar.

17. At Dum-Dum, Mr. T. D'Arcy, aged 58.

20. At Calcutta, Mrs. Vaughan, wife of Mr. C. M. Vaughan, aged 20.

26. At Calcutta, Albina, wife of Mr. James Ogilvie, assistant to Messrs. Gilmore and Co., aged 21.

27. At Allahabad, Maj. Alex. Trotter, commanding 1st bat. Native Invalids.

31. At Calcutta, Anne, wife of Mr. John Lyon, aged 44.

Sept. 3. At Howrah, after an hour's attack of cholera, Mrs. Clarissa Rogers, aged 28.

*Lately.* At the head-quarters of the timber agency, at Izimghur, in Teerhoot, Mr. Robert Fenwick, son of the late Colonel Fenwick, and clerk in the agency office, aged 47.

— At Ava, of a pulmonary consumption, the Rev. J. D. Price, D.D., leaving three young children, totally unprovided for in Calcutta, to lament his loss.

## Madras.

## GOVERNMENT GENERAL ORDERS.

## COMPENSATION TO MEDICAL OFFICERS.

Fort St. George, Aug. 12, 1828.—The following extract from a letter from the Hon. the Court of Directors, under date the 6th Feb. last, is published in General Orders.

Letter dated 6th Feb. 1828.

6. "We now desire it to be distinctly understood, that when, from inability to secure conveyance for invalids on a ship to which a surgeon is attached, you require the services of a medical officer who may be returning to England, during the voyage, no claim to Indian allowances shall arise out of that employment. Under the authority already communicated to you, medical officers so employed are to be granted the passage-money of their rank, and they receive from us an allowance for each person under their care who may be landed in England. We consider these advantages to furnish an ample compensation for the duties performed in such cases, and we desire that they be never exceeded."

## PRACTICE OF COURTS-MARTIAL.

*Head-Quarters, Choultry Plain, Aug. 13, 1828.*—The Commander-in-chief directs, when discharges are forwarded to head-quarters for countersignature for a reason referrible to trial by court-martial, or the recommendation of a court-martial, whether garrison, detachment, or regimental, that such application be invariably accompanied by the proceedings of the court-martial.

## STOPPAGES FROM SOLDIERS' PAY.

*Head-Quarters, Choultry Plain, Aug. 20, 1828.*—It having come to the Commander-in-chief's notice, that stoppages are made from the pay of soldiers under a misapprehension of the 8th para. vi. sect. of the Ordinance Regulations, without proceeding to the trial of the soldier to ascertain if the loss or injury occurred designedly and through neglect; his Exc. the Commander-in-chief calls the attention of officers to sect. xliii. of 4 Geo. iv. cap. 81, and to art. iii. sect. xi. of the European, and to art. iii. sect. vi. of the Native Articles of War, and cautions them, that any such stoppage is illegal, and will be made on their personal responsibility, unless duly authorized by the sentence of a general or regimental court-martial, which in all cases is to be assembled to ascertain and determine the extent of loss or injury and the degree of neglect attributable to the party accused, in selling, destroying, or making away with any part of his regimental property.

## BOUNTY TO VOLUNTEERS FROM H.M.'S 30TH FOOT.

*Fort St. George, Sept. 5, 1826.*—The Right Hon. the Governor in Council is pleased to direct, that the regulated bounty of three guineas, or rupees twenty-seven and annas nine (27 9 0) per man, shall be paid to such men of H.M.'s 30th Foot (on that regiment being drafted) as may volunteer to continue their services in other regiments of his Majesty's service in India.

## HIS MAJESTY'S 26TH FOOT.

*Fort St. George, Sept. 12, 1828.*—His Majesty's 26th regiment of foot is admitted on the establishment of Fort St. George, from the 9th instant.

## CIVIL APPOINTMENTS.

*Aug. 26.* H. Vivesash, Esq., principal collector and magistrate of Madura.

Robert Clerk, Esq., secretary to government in public, financial, commercial, law, and ecclesiastical departments.

C. A. Thompson, Esq., collector and magistrate of Chingleput.

Lieut. (Brev. Capt.) A. M. Campbell, 7th L.C., assist. civil engineer in southern division.

*Sept. 2.* H. V. Conolly, Esq., deputy secretary to government in military department.

S. C. E. Oakes, Esq., register to Provincial Court for northern division.

## MILITARY APPOINTMENTS, PROMOTIONS, &amp;c.

*Head-Quarters, Aug. 1, 1828.*—Ens. H. P. White (recently prom.) app. to do duty with 29th N.I.—Ens. D. Johnstone removed from doing duty with 31st, to do duty with 29th N.I.

*Aug. 4.*—Removals and postings of Lieut. Cols. W. Clapham, from 37th to 43d N.I.; E. Edwards, 12th to 17th N.I.; J. Ogilvie (late prom.) to 37th N.I.; R. Home (late prom.) to 12th N.I.

*Aug. 9.* Ens. P. Holmes removed from doing duty with 10th to do duty with 16th N.I.

Ens. J. Jackson (recently prom.) app. to do duty with 19th N.I.

Cornet L. F. Cottrell (recently transf. from inf.) app. to do duty with 8th L.C.

*Aug. 13.*—Ens. C. J. Elphinstone (recently prom.) app. to do duty with 29th N.I.

*Removals and Postings in Medical Establishment.* Surg. W. S. Anderson, from 33d to 36th N.I.; Surg. R. Prince, from 26th to 33d N.I.; Assist. Surg. J. Casswall, from 6th to 43d N.I.; Assist. Surg. H. S. Brice, from 31d to 14th N.I.; Assist. Surg. S. Brooking, to 6th N.I.

*Aug. 14.*—Veterinary Surg. J. C. Ralston removed from 1st Brig. Horse Artill., to 8th L.C., and Veterinary Surg. J. F. Jennings, from latter to former corps.

*Aug. 15.* Major J. K. Clubley (recently transf. to inv. estab.) posted to 1st Nat. Vet. Bat.

*Fort St. George, Aug. 15, 1828.*—Assist. Surg. S. Brooking permitted to enter on general duties of army.

Lieut. and Brev. Capt. D. A. Fenning, 5th L.C., to be deputy assist. adj. gen. in ceded districts, v. Wilson, from 8th July.

*Aug. 19.*—17th N.I. Sen. Lieut. J. Fullarton to be capt., and Sen. Ens. W. K. Babington to be lieut., v. Stuart, invalided; dated 2d Aug. 1828.

Cadet Wm. Bisset admitted to infantry, and prom to ensign.

*Officers entitled to Off-Reckonings.* Lieut. Col. Com. M. L. Pereira and T. Pollock, each a half-share from 25th Feb. 1828, in consequence of death of Maj. Gen. S. W. Ogg, of infantry.

3d or P.L.I. Lieut. J. Power to be quart. master, interp. and paymast., v. Moore who has obtained leave to return to Europe.

*Aug. 22.*—Cadet G. H. S. Yates admitted to infantry, and prom. to ensign.

8th L.C. Capt. E. H. Raymond to be acting riding-master, v. Thompson.

*Head-Quarters, Aug. 21, 1828.*—Lieut. Jas. Robertson, 9th N.I., app. to do duty with Rifle Corps.

*Ensigns (recently prom.) appointed to do duty.* W. Bisset, with 39th N.I.; G. H. S. Yates, with 46th N.I.

Ensign J. H. Tapp removed from doing duty with 2d, to do duty with 39th N.I.

Lieuts. Ogilvie and Sprye, doing duty with 25th N.I. at Penang, app. to do duty with 35th N.I.

*Aug. 23.*—Lieut. Col. Com. J. Russell, removed from 6th to 5th L.C., and Lieut. Col. Com. D. Foulis from latter to former corps.

Lieut. Col. G. Waugh removed from 1st Europ. Regt. to 35th N.I., and Lieut. Col. H. W. Sale from latter to former corps.

*Aug. 25.*—Cornets (recently prom.) posted to Regts. L. F. Cottrell, to 8th L.C.; J. F. Porter, 1st do.; J. Maidland, 4th do.; W. G. Woods, 2d do.; Lachlan Macqueen, 8th do.; Dodson Grube, 1st do.

*Ensigns (recently prom.) posted to Regts.* W. A. Mackenzie, to 17th N.I.; Thos. Austen, 15th do.; W. A. Halstead, 11th do.; Robt. Farquhar, 28th do.; J. R. Arrow, 15th do.; Alex. Richmond, 7th do.; W. J. Church, 17th do.; J. F. Germon, 48th do.; A. K. Cockburn, 50th do.; Rich. Hamilton

million, 1st do.; C. S. A. Wake, 34th C.L.I.; J. Foster, 12th N.I.

*Aug. 3d.*—*Removals and Postings in Medical Department.* Asst. Surg. G. Knox, from 2d to 9th N.I.; Asst. Surg. J. Caswall, from 43d to 33d N.I.; Asst. Surg. J. B. Preston, from 1st to 2d N.I.; Asst. Surg. J. R. Gibb, to 43d N.I.

Lieut. H. Harrison, 31st N.I., app. to rifle corps.  
Sept. 1. Ens. J. M'M. Johnston posted to 4th N.I., and to rank next below Ens. J. Doda.

*Fort St. George, Aug. 26, 1828.*—*Artillery.* Sen. Maj. W. Cullen to be lieut. col., Sen. Capt. T. T. Paske to be major, and Sen. 1st-Lieut. H. S. Ford to be capt., v. Cleveland retired; dated 20th Jan. 1828.—Sen. 2d-Lieut. Edw. Brice to be 1st-lieut., v. Taylor dec.; dated 25th Feb. 1828.

1st N.I. Sen. Capt. H. Smith to be major, Sen. Lieut. P. F. Hodge to be capt., and Sen. Ens. Frid. Gottreux to be lieut., v. Ewing dec.; dated 2d April 1828.

1st L.C. Sen. Cornet J. N. Dyce to be lieut., v. Clifford cashiered; dated 19th Aug. 1828.

Dr. Jas. Eaton admitted on estab. as an assist. surg., and app. to do duty under garrison surg. of Fort St. George.

*Engineers.* Sen. 2d-Lieut. S. Vardon to be 1st-lieut., from 4th Nov. 1820.

Sept. 5.—Lieut. Col. T. Stewart, commandant of 11th N.I., permitted to resign command of garrison of Bellary, and to return to Europe on furlough.

Lieut. McClellan, 33d N.I., and Lieut. Goldingham, artillery, permitted to place their services at disposal of government of Fort Cornwallis.

Sept. 9.—*Engineers.* 1st-Lieut. S. Best, to be assistant to superintending engineer in southern division, v. Patrickson permitted to return to Europe.—2d-Lieut. F. Dumas to be assistant to superintending engineer in northern division, v. Best.

*Commissariat.* Capt. Frew, 44th N.I., sub-assist. com. gen., to be deputy assist. com. gen., v. Capt. Burns, removed on prom.—Lieut. Dyce, 30th N.I., temporary sub-assist. com. gen., to be sub-assist. com. gen., v. Capt. Frew.—Lieut. J. A. Russell, 51st N.I., to be temporary sub-assist. com. gen., v. Lieut. Dyce.

Capt. Austen, 18th N.I., to act as superintending of family payments and pensions, during illness of Capt. Wilson.

Sept. 12.—*Infantry.* Sen. Lieut. Col. A. Monin to be lieut. col. com., v. Graham dec.; dated 23d April 1828.—Sen. Maj. (Supernum. Lieut. Col.) R. Short, from 10th N.I., to be lieut. col., v. Maunsell dec.; dated 18th June 1828.

10th N.I. Sen. Capt. H. G. Jourdan to be major, Sen. Lieut. W. Cotton to be capt., and Sen. Ens. W. O. Pellowe to be lieut., in suc. to Short prom.; dated 11th June 1828.

Cadet D. C. Campbell admitted on estab. as an assist. surg., and prom. to ensign.

2d Brig. Horse Artillery. Lieut. H. Montgomery to be acting riding-master, from 1st Sept., to complete establishment.

10th N.I. Lieut. Geo. Wright to be adj., v. Cotton prom.

42d N.I. Lieut. Colin Macleod to be adj., v. Holloway on leave to Europe.

51st N.I. Lieut. C. Stafford to be adj., v. Russell app. to commissariat.

*Head-Quarters, Sept. 3, 1828.*—*Vet. Surg.* J. F. Jennings removed from 1st brig. Horse Artill., to 7th L.C.

Sept. 4.—Ens. E. T. Cox posted to 10th N.I., and to rank next below Ens. C. Macaulay.

Sept. 10.—*Vet. Surg.* J. C. Ralston removed from 8th to 9d L.C., and *Veter. Surg.* H. Hooper from latter to former regt.

Lieut. J. West removed from 2d to 1st Nat. Vet. Bat.

Sept. 11.—Ens. L. T. Boyes posted to 10th N.I., and to rank next below Ens. E. T. Cox.

Sept. 12.—*Ensigns (recently prom.) appointed to do duty.* D. C. Campbell, with 51st N.I.; A. Worsley, with 9th N.I.

*Officers returned to duty, from Europe.*—Capt.

G. Gill, 1st N.I.—Lieut. R. H. Gordon, 2d N.I.—Lieut. John Harwood, 48th N.I.—Lieut. Thos. Sewell, 50th N.I.—Surg. Claud Currie—Asst. Surg. J. R. Gibb—Lieut. Peter Pope, 24th N.I.

## FURLOUGHS.

*To Europe.*—Aug. 19. Lieut. A. P. Thompson, 8th L.C., for health.—Maj. J. J. Meredith, 4th L.C.—2d. Lieut. G. Patrickson, of engineers, for health.—Ens. W. M. Glasscock, doing duty with 29th N.I., for one year, without pay.—Sept. 5. Lieut. Col. T. Stewart, 11th N.I.—9. Lieut. E. V. P. Holloway, 42d N.I., for health.—12. Lieut. S. Carr, 11th N.I., for health.—Ens. G. Carr, 16th N.I., for health.—Ens. H. A. Tremlett, 17th N.I., for health.—Capt. B. M'Master, 6th N.I., for health.—Capt. Laurie, 9th N.I., for health (to proceed from Bombay.)

*To Bombay.*—Sept. 2. Lieut. G. A. Baillie, 52d N.I., for six months, for health.—13. Ens. T. Christie, 31st N.I., for health (eventually to Europe.)

*To Sea.*—Aug. 15. Lieut. Col. Downes, 21st N.I., for one year, for health (with leave to visit Isle of France or Bourbon.)

*To Cape, Mauritius, or N. S. Wales.*—Sept. 9. Surg. C. Jones, 41st N.I., for six months, for health.

## MISCELLANEOUS.

### CHOLERA MORBUS.

We have heard of no additional cases of cholera since our last, which has tended to confirm us in opinion, that in the instances before noticed, it arose more from imprudence and neglect in the parties themselves, than from any atmospheric or local cause whatever. The vigilance of the Board of Health cannot be too much commended; that it has contributed very largely to render Madras so healthy as it has been, cannot be questioned; and while we may indulge in the confident hope that its exertions will not be abated, we may look forward with certainty to a continuance of those blessings, without which life is but a blank, and existence a dream.—*Mad. Gaz., Sept. 6.*

## SHIPPING.

### Arrivals.

*Aug. 23.* *Alexander*, Oakley, from Mauritius.—29. *Vesper*, Brown, from London and Mauritius.—31. *L'Artif*, Chevialeure, from Bordeaux.—*Sept. 8.* *Lady Holland*, Snell, from Calcutta: *Grace*, Allens, from Batavia; and H. C. S. *Asia*, Balderston, from London.—9. H. C. S. *Marchioness of Ely*, Mangles, from London.—10. H. C. S. *Prince Regent*, Hosmer, from London; H. C. S. *Rose*, Marquis, from ditto; and *Asia*, Ager, from Calcutta.—11. *St. George*, Swainson, from Liverpool.—13. *Circassian*, Douthwaite, from Calcutta.—15. *Atlas*, Hunt, from London, Cape, and Mauritius.—16. *Mag. Merrilies*, Collicott, from Mauritius and Ceylon; and *Mangie*, Carr, from Port Jackson, Batavia, and Isle of France.—19. *Malcolm*, Eyles, from London.—20. *Cherries*, Panney, from Mauritius and Ceylon.—21. *Hercules*, Vaughan, from London; and *Lonach*, Noakes, from London, Tenerife, and Bahla.—23. *Rosburgh Castle*, Denny, from London; and *Agnes*, Millons, from Leith.

### Departures.

*Aug. 23.* *Ganges*, Lloyd, and *Bayne*, Pope, both for Calcutta.—26. *Alexander*, Oakley, for Calcutta.—*Sept. 7.* *Vesper*, Brown, for Calcutta.—12. *Grace*, Allens, for Calcutta.—13. H. C. S. *Asia*, Balderston, for Calcutta.—16. *Mangie*, Carr, for Calcutta.—18. *St. George*, Swainson, for Calcutta.—19. *Mag. Merrilies*, Collicott, for northern ports.—20. H. C. S. *Marchioness of Ely*, Mangles, for Calcutta.—23. H. C. S. *Prince Regent*, Hosmer, for Calcutta.

for Calcutta; and *Hercules*, Vaughan, for ditto.  
—25. *Lady Holland*, Snell, for London.

## BIRTHS.

July 23. At Quilon, the lady of Lieut. Begbie, artillery, of a daughter.

Aug. 12. At the Presidency cantonment, the lady of Capt. Dowker, 2d regt., of a daughter.

13. At Masulipatam, the lady of Lieut. Douglas, dep. assist. com. gen., of a daughter.

16. At Negapatam, the lady of Robt. Nelson, Esq., civil service, of a son.

18. At Bangalore, the wife of Troop Quart. Mast. W. Doyle, 2d Horse Brigade, of a son.

21. At Madras, the wife of Mr. John Davidson, of a son.

20. At Madras, the wife of Mr. G. J. McKertich, of a daughter.

21. At Madras, the wife of Mr. Hugh Ross, of a daughter.

22. At Vepery, Mrs. W. Atkinson, of a daughter.

20. At Quilon, the lady of Capt. Edw. Armstrong, dep. assist. com. gen., of a daughter.

— At Arcot, the lady of Lieut. Macdonald, 3d Cavalry, of a daughter.

— At Bangalore, Mrs. J. Hamnett, of a daughter.

29. At Madras, Mrs. A. T. Jones, of a son.

Sept. 1. At Tellicherry, the lady of Thomas Boileau, Esq., civil service, of a son.

4. At Madras, the lady of Lieut. Poyntz, H.M.'s 30th regt., of a son and heir.

— At St. Thomas's Mount, the lady of Capt. Aldritt, artillery, of a son.

5. At Mominabad, the lady of Lieut. W. D. Harrington, 3d Madras Cavalry, of a daughter.

7. At Madras, the lady of Thomas Allsop, Esq., of a daughter.

13. At Negapatam, the lady of J. W. Bohalt, Esq., of a daughter.

15. At Madras, the lady of John Arathoon, Esq., of a son.

— At Masulipatam, the lady of Capt. G. F. Symes, commissary of ordnance, of a son and heir.

16. At Madras, Mrs. C. Cornell, of a daughter.

17. At Palaveram, the lady of Lieut. Carthew, 21st N.I., of a daughter.

23. At Madras, the lady of Major T. S. Watson, artillery, of a son.

## MARRIAGES.

May 17. At Mergul, in Tenasserim, Lieut. and Quart. Mast. James, 32d regt. N.I., to Miss Letitia Agnes Palmer.

July 20. At Quilon, Lieut. W. Shelly, 20th regt. N.I., to Mrs. Alexander.

Aug. 11. At Negapatam, Mr. Antony Vandervene, writer in the principal collector's cutcherry, at Tanjore, to Miss Mary Adolph.

10. At South Downs, on the Neilgherries, John Campbell, Esq., of the Nizam's civil service, to Eliza, youngest daughter of the late Wm. Harrington, Esq., of the Madras civil service.

26. At Bangalore, Lieut. Aug. Clarke, deputy assist. com. gen., to Frances, daughter of the late S. Drew, Esq., of Bishop's Castle, Shropshire.

27. At Allepie, D. Stretell, Esq., 20th N.I., son of the late Edw. Stretell, Esq., advocate-general in Bengal, to Mrs. Susan Hughes.

Sept. 16. At Secunderabad, Capt. J. Wynch, Horse Artillery, to Eleanor Juliana, only daughter of the late Capt. Perigrine Davie, of this establishment.

12. At Madras, Leonard Cooper, Esq., solicitor to Madras, eldest daughter of Chevalier de Smirnov, deceased, late consular-general attached to the court of Russia in Holland.

## DEATHS.

July 24. At Arnes, Lieut. Rich. Sugden, H.M.'s 13th L. Drago., eldest son of E. B. Sugden, Esq., of Lincoln's Inn.

27. At Madras, Mr. John G. Moeckell, aged 63.

Aug. 13. At Nagpore, Susan, wife of John Wyllie, Esq., M.D., residency surgeon.

17. At Negapatam, of a lingering illness, Capt. B. A. Potkinson, of Jessampatam, aged 60.

24. At Masulipatam, Maria Norman, wife of Capt. Arch. Douglas.

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30. At Palaveram, Ens. F. T. Marrett, 4th N.I., aged 19.

31. At Aurungabad, Mrs. Christina Dobbler, aged 67.

Sept. 2. At Vellore, of liver complaint, Ens. A. B. Gibbings, 10th N.I., in his 21st year.

3. At Ramnad, of cholera, Isabella, relict of the late Mr. Henry Rice, aged 60.

— At camp Jaulnah, Maria, wife of Mr. J. Blake, farrier 2d L.C., aged 26.

6. At Nagpore, Mr. W. A. Ewart, sub-assist. surgeon, attached to the resident's staff.

9. At Madras, Elizabeth, only daughter of Mr. F. Piellow, jeweller, aged 24.

16. At Madras, Capt. G. Leggett, 41st regt. M.N.I.

*Lately*, At Royapooram, Mrs. Susanna M'Intire, aged 45.

## Bombay.

## GOVERNMENT GENERAL ORDERS.

## BOOTY TAKEN AT KITTOOR.

*Bombay Castle*, Aug. 8, 1828.—The Hon. the Governor in Council is pleased to publish in general orders the following extract of a despatch from the Hon. Court of Directors, dated 28th March 1827, together with his Majesty's warrant for the distribution of the property captured at Kittoor in the year 1824.

Letter dated 28th March 1827.

Par. 2. "Having made application in the usual form to the Lords Commissioners of his Majesty's Treasury, a warrant has been issued by his Majesty (of which a copy is enclosed) granting the booty taken at Kittoor to the East-India Company, upon trust, to retain one moiety for their own use, and to distribute the other moiety among the captors, agreeably to the usage of the army in India.

3. "In accordance with the disposition we have entertained to reward the zealous exertions of our troops, we have resolved to grant to the captors the moiety of the booty thus placed at our disposal.

4. "The Lords of the Treasury having referred for our consideration a memorial of Lieut. Gen. Sir Charles Colville, soliciting to be admitted to share in this booty as Commander-in-chief, we have adverted to the usage of the army in India in cases where the Commander-in-chief has not taken the field, and we are of opinion that the claim of Sir Charles Colville is inadmissible.

5. "We have notified this decision to the Lords of the Treasury, and three months having elapsed since the date of our notification, and their lordships having issued no order on the occasion, our decision is final.

6. "The several disputed claims which you have submitted with your letters of the dates, noted in the margin,\* have been deemed

\* 2d June 1825 (25); 12th Sept. 1825 (23); 15th Nov. 1825 (15 and 16); 17th Feb. 1826 (25).



deemed by us to be inadmissible, our decision to this effect has been notified to the Lords Commissioners of his Majesty's Treasury under the provisions of the grant, and we have been informed, in reply, that it does not appear necessary that their lordships should give any directions thereon.

7. "A claim to participate has been preferred to us on behalf of the estate of the late Captain Black, of the Madras Horse Artillery, who was slain in the first attempt to secure the fort at Kittoor and the treasure contained in it. This claim is preferred on the ground that the proceedings of Captain Black's detachment, and those of the forces under Col. Deacon, were of a continuous nature, for the accomplishment of the same object; and as we presume it to be consistent with Indian usage to include, in the distribution of prize resulting from the capture of a fortified place, an individual who may have been slain in the operations against that place, we have decided that Capt. Black's estate shall be included in the distribution: the officers and men under his command in like manner being admitted to participate.

8. "You will take the necessary measures for distributing the booty immediately on your receipt of this despatch.

9. "Interest at the rate of five per cent. per annum is to be allowed on the amount of the booty deposited in your treasury from the date of the deposit to the date when the distribution is announced in general orders.

10. "Payments of shares are to be made by the officers of government, as in the case of the Concan booty."

(Here follows a copy of the treasury warrant for the distribution of the booty.)

The total amount of prize property to be distributed under the above order, with simple interest up to the 30th of April last, is Rupees 12,12,420. 3. 60.

Abstracts due for the amount to the several persons entitled to share are to be preferred at the office of Messrs. Shotton and Co., who have been appointed to pay the same.

The scale of distribution, according to the principles on which the Concan prize property was distributed in 1821, will be published hereafter, together with the

The following are the claims alluded to in the above-mentioned despatches, viz.

Claim by Lieut. Col. Kennedy, C.B., in behalf of himself and the detachment under his command.

Ditto by the 6th and 7th regiment of Madras Light Cavalry.

Ditto by detachments of the 4th Madras Light Cavalry and the 1st Bombay European regt. at Belgium and at Vingoria.

Ditto by Lieut. Col. Podmore and his Brigade Major Capt. Hutchinson.

list of corps and detachments entitled to share.

LIEUT. COL. E. H. BELLASIS.

*Bombay Castle, Aug. 26, 1828.*—Lieut. Col. E. H. Bellasis, of the corps of engineers, is permitted to resign the appointment of commissary-general, and allowed a furlough to Europe for the recovery of his health.

The Hon. the Governor in Council will have much pleasure in bringing to the notice of the Hon. the Court the services of Lieut. Col. Bellasis during a period of twenty-eight years of uninterrupted residence in India.

## COURT OF INQUIRY.

LIEUT. T. E. ROGERS.

*Bombay Castle, Aug. 26, 1828.*—The Hon. the Governor in Council is pleased to publish the result of a Court of Inquiry, held for the trial of Lieut. T. E. Rogers, of the H.C.'s ship of war *Coote*, on a charge preferred against him by Capt. Betham, the commanding officer of that vessel.

*Charge*:—Lieut. T. E. Rogers placed in arrest by Capt. John Betham, of the H.C.'s ship of war *Coote*, on the following charge:

*Charge*:—Neglect of duty, disobedience of orders, and disrespect to me, his commander, on several occasions, particularly on the 13th of August 1828.

(Signed) J. BETHAM,  
Bombay, 13th Aug. 1828.

### *Finding and Sentence of the Court.*

The court having maturely weighed and considered all that has been adduced in support of the prosecution, as well as what has been brought forward on the defence, are of opinion, that the prisoner Lieut. T. E. Rogers is guilty of the charge preferred against him, with the exception of disobedience of orders, which allegation not having been sufficiently proved, they do therefore acquit him of the same.

The court having found the prisoner guilty to the extent above specified, do therefore adjudge him to lose two steps in the service.

*Decision of Government.*—The Governor in Council agrees with the court's opinion, except when they acquit Lieut. Rogers of disobedience of orders. It appears clearly upon evidence that the prisoner did not see the orders he received carried properly into execution, and as he brought forward none of those under him as guilty of neglect, or disobedient of his orders, he became responsible to his commanding officer for the execution of the orders he had received. This appears to the governor in council a clear and important principle, and there certainly can

be nothing more dangerous to discipline than that evasion of responsibility which would be the consequence of an admission, that any officer could be acquitted of disobedience who, possessed of the power to be so, had not carried an order he had received into full execution.

The Governor in Council having concurred with the court's opinion, with the above exception, is pleased to direct that the sentence of the court, adjudging Lieut. T. E. Rogers to lose two steps in the service, be carried into effect; and to order the court of inquiry to be dissolved.

Published by order of the hon. the governor in council.

T. G. GARDINER,  
Act. Sec. to Govt.

### MILITARY APPOINTMENTS, PROMOTIONS, &c.

*Bombay Castle, July 31, 1828.*—Cadets of Cavalry M. Daniel, J. Williams, C. R. Bacon, and A. Prescott, promoted to cornets.

Aug. 1.—2d *Europ. Regt.* Ens. W. E. Rawlinson to be lieut., v. Phillips dec.; dated 22d July 1828.

Assist. Surgs. Williams, Boxwell, Barrington, and R. Behan, admitted into service on this establishment.

Aug. 2.—3d *L.C.* Cornet G. O. Reeves to be lieut. v. Johnstone dec., dated 27th July 1828.

Cornet Mathew Daniel posted to 3d *L.C.*, and to take rank from 27th July 1828.

Lieut. F. Outram's appointment of executive engineer in Poona division of army cancelled, and duties of that department to be conducted by assist. executive engineer until further orders.

Aug. 4.—21st *N.I.* Capt. R. Campbell to be maj., Lieut. W. Cayave to be capt., and Ens. E. W. C. Parry to be lieut., in suc. to Noble dec.

2d-Lieut. G. K. Maun to be 1st-lieut., v. Lewis dismissed the service by sentence of a general court-martial; dated 24th July 1828.

Aug. 7.—Assist. Surg. A. Graham to be civil surgeon at Ahmednugger, v. Walker prom.

Assist. Surg. T. Robson to be vaccinator in Decan, v. Graham.

Capt. R. Pouget to be inspecting engineer of Surat division of army, v. Capt. L. J. Frederick, on furlough to Europe.

Capt. C. Waddington to succeed Capt. Pouget as superintending engineer at presidency, retaining charge of department of civil engineer, also, until further orders.

Lieut. J. Kilner to be acting executive engineer at Deesa.

Capt. J. Bonamy, H.M.'s 6th Foot, to be an aid-de-camp on personal staff of Commander-in-Chief, from 27th May last.

Aug. 8.—Assist. Surg. R. Davidson to act under orders of Medical Board on a special duty.

Aug. 11.—Assist. Surgs. T. MacKenzie and R. J. Behan placed at disposal of superintendent of marine, to be appointed, former to H.C.'s sloop of war *Coote*, and latter to brig *Euphrates*.

Aug. 12.—Capt. T. Baillie to continue to act as first assist. com. gen., during absence of Capt. C. B. James, permitted to proceed to Cape of Good Hope.

### FURLOUGHS.

To *Europe*.—July 31. Capt. T. W. Stokes, invalid estab., for health.

To *Madras*.—Aug. 8. Ens. H. Cotgrave, 18th *N.I.*, for five months, on private affairs.

To *Cape of Good Hope*.—Aug. 4. Capt. C. B. James, 1st assist. com. gen., for twelve months, for health.

### MISCELLANEOUS.

#### THE LATE SIR EDWARD WEST.

On the 1st October, a deputation of the principal native merchants and inhabitants of Bombay proceeded to the house of the Hon. Sir Charles Chambers, acting chief justice, to present an address of condolence on the death of the late Chief Justice Sir Edward West. The following is a copy of the address:—

"To the Hon. Sir Charles Chambers, Knt., &c. &c., and the Hon. Sir John Peter Grant, Knt., &c. &c., Judges of his Majesty's Supreme Court of Judicature, Bombay.

"My Lords,—We, the undersigned members of the several tribes composing the native community, subject to the jurisdiction of his Majesty's Supreme Court of Judicature under the Bombay presidency, beg leave respectfully to present ourselves before your honourable bench for the purpose of offering a last mournful tribute of affection to the memory of your late distinguished colleague, our gracious chief justice, the Hon. Sir Edward West. We are conscious that it is a novelty for the people to come forward to address a bench of English judges on such a subject: it is no less a novelty (actually witnessed by many of us) to be rescued, in the short space of twenty-nine years, since the establishment of a regular court of British law in this island, from the evils of an inefficient and irregular administration of justice which previously existed.

"Grateful for such advantages, we resort to those means which alone are open to a community constituted like ours, to expressly publicly our sense of them; and, indeed, we should justly merit the reproach of want of feeling, did we now silently confine within our own breasts the grief, the unfeigned sorrow, we experience in the event which has deprived us of him, at whose hands those advantages have been so largely extended and confirmed to us. In expressing to your lordships our sorrow for the death of Sir Edward West, we seek a balm for our sufferings, and would fain hope thereby to alleviate the distress with which you must contemplate your earthly separation from a colleague so able and indefatigable, so undaunted and upright.

"The time is past when any commendation of ours, or indeed any earthly honours, can be of any earthly value to him, whom the joys and sorrows of this world can no longer affect; and who is, therefore, equally removed beyond the reach of human censure and of human applause. But, we should deem it an omission of duty, as well as of gratitude, did we not come forward, now that our motives cannot be misconstrued, to mark in

in the strongest manner the deep sense we entertain of his virtuous administration. That spirit of even-handed justice which prompted his decisions,—the unconquerable assiduity and unshaken firmness which he evinced in discharging the functions of his high office,—the unshrinking zeal which animated him in making salutary reforms,—but, above all, that high principle of independence and integrity, which led him to sacrifice so much of his private happiness to the conscientious performance of his public duties,—these, my lords, are the virtues which have grown upon our gratitude, since every day's succeeding experience teaches us to appreciate their value.

"In briefly noticing the most prominent features in the administration of Sir Edward West, we cannot but dwell with grateful delight on the easy access which that humane and honourable judge at all times afforded to the poor and needy part of our countrymen. That he rendered the administration of law less expensive to the inhabitants of this presidency, thus throwing open to the poor the avenues of justice, so long barred against them, is not the least solid advantage derived from a career fertile in benefits. But great and salutary as was this reform, it did not satisfy that glowing spirit of philanthropy, ever thoughtful to devise and active to execute what might lessen the distresses or increase the happiness of his fellow-creatures. Scrupulous in the discharge of his high functions as a judge, which alone seemed labour too great even for his energetic mind, he found leisure, and had the condescension, to become himself the advocate of the indigent.

"But amongst the many great favours received at the hands of Sir Edward West, that for which we would chiefly record our gratitude, is the manner in which, conjointly with your lordships, he carried into execution the recent provision of the British legislature, for admitting the natives of this country to sit on juries. The wise and conciliatory methods he took to give effect to the wishes of parliament, the condescension with which he conferred with every class of the native community, the prudent deference he paid to all their national and religious feelings, the zeal with which he laboured to overcome innumerable difficulties arising out of the multiform constitution of our body, and the solicitude he displayed to set the intention of the enactment in its true light, are fresh in the recollection of us all. To these exertions it is owing that the natives of Bombay are now in the enjoyment of one of the greatest privileges of freemen.

"A knowledge of the virtuous and enlightened character of the late chief justice cannot fail to have prevailed throughout a large portion of our countrymen in

India; but it has only been permitted to the inhabitants of this island to enjoy the immediate fruits of his distinguished judicial administration. However imperfect any further addition may prove to this record of our deep sorrow for his demise, and respect for his memory, we beg to announce that we have raised a sum of money, which it is designed to make over to the Native Education Society, to be vested by them in government securities for the endowment of one or more scholarships, and the distribution of one or more annual prizes, according to the amount of interest realized from the total fund, to be denominated 'Chief Justice West's Scholarships and Prizes.' Engaged as the late judge was himself so earnestly in improving the condition of the natives, we humbly hope that we have devised the most durable and appropriate method of perpetuating the grateful recollection of him among them, and training up our children to the proper discharge of those public duties to which he first showed them the way.

"With a firm reliance on the continued favour and kindness of your lordships, we are, with the greatest respect, my lords, your lordships' most obedient and most humble servants."

(Signed by about 140 of the principal Hindoo, Parsee, and Mahomedan merchants and inhabitants.)

"Bombay, Oct 1."

To the above address, which was read by Bomanjee Hormusjee, the following reply was made Sir Charles Chambers:—

Gentlemen,—Before I give an answer to the substance of the address which you have just presented to us, allow me to explain to you the reasons which have induced my learned brother, Mr. Justice Grant, and myself, after serious consideration, to deem it inexpedient to receive this address in our public judicial capacities. These reasons I am sure will appear to you satisfactory, when you are informed they are grounded upon the high sense we entertain of what is due to the exalted character of a British court of justice, and to the best interests of the people amongst whom we have to exercise our judicial functions. A judge, gentlemen, should be, above all other persons, single-minded; he should perpetually bear in mind that he is to give an account before a higher tribunal, which cannot be deceived, and cannot err. He should look, therefore, neither to the right hand nor to the left, but proceed in his course of undeviating rectitude, without the hope, or expectation, or desire, of applause, or the fear of censure. On these principles, and these principles only, can the character of public justice rest with safety; and the maintenance of them we consider essential to the due administration of justice in this presidency.

dency. You have yourselves said, that it is a novelty to address a court of justice; and for the reasons I have stated we do not wish to establish a precedent, which, though in the present instance it may not be of ill consequence, may, at some future time, introduce examples of the most dangerous nature to the purity of the judicial character. Gentlemen, the distinguished subject of your address, if he were present, I am confident would be the first to approve of the determination to which my learned brother and myself thought it right to come on this occasion. No man had more exalted notions of his high office; no man so undeviatingly and fearlessly pursued the course which his conscience pointed out to him to be the right one.

Having said thus much upon this preliminary point, in the name of my learned brother and myself, I may say, that, in our individual and private capacities, nothing can give us greater satisfaction than to receive such a disinterested tribute of approbation as yours must be to the character and conduct of Sir Edward West. We have mourned with sincere and deep sorrow the death of so valuable a colleague, counsellor, and friend: but the loss which, in the private relations of life, we have so much reason to deplore, cannot for a moment be put in competition with the irreparable loss which the public have sustained by his death. During the short period which he passed amongst you, his warmest wishes and most ardent prayers were for the improvement and elevation of his native fellow subjects; and the consciousness of having your approbation would have given him the most essential support in the execution of his arduous duties. Gentlemen, accept our best thanks for the sympathy and condolence which you have so feelingly and pathetically expressed in your address to us this day; and be assured that they afford to our minds a very sensible alleviation of the sorrow we experience for the loss which we have sustained.

Gentlemen, Sir Edward West has, by the decree of an all-wise Providence, been cut off in the midst of a life of eminent usefulness. His mortal remains repose in your land, far from the sepulchre of his fathers. It is a natural and highly honourable feeling in you to wish to erect some monument to his memory; and we cannot but express our warmest approbation of the mode in which you propose to perpetuate it—not by an inscription engraven on a tablet of marble, which would be confined to a little space, and would be soon obliterated by time; but by the more durable monuments of the mind—by associating his name with that admirable institution which is chiefly supported by your liberality; a liberality, let me say, worthy of the best ages and most enlightened periods of mankind, and which pro-

mises to spread the light of the knowledge of the western world over all this vast peninsula. The scholarships and prizes, which you propose to denominate “Chief Justice West’s Scholarships and Prizes,” in the schools of the Bombay Native Education Society, will implant an unwritten, but unfading, record of his public worth, in the breasts of all those who shall derive the inestimable benefits of knowledge from your munificence, and will hand down, in the most honourable manner, the name of our departed colleague to your latest posterity.

#### POPULATION OF THE ISLAND.

A census of the population of Bombay and Colabah appears in the *Bombay Courier*, August 16, of which the following is the result: number of houses 20,195; number of inhabitants, viz. English 938, Portuguese 8,020, Parsees 10,738, Jews 1,270, Armenians 39, Moors 25,920, Hindoos 82,592, Mahars 3,005, Chinese 48, total 132,570; military 10,000; floating population 20,000; grand total 162,570. The *Courier* adds:—

“In this census one important omission is, however, apparent, viz. the Anglo-Asiatic or country-born population (including those of pure European descent) which cannot, we apprehend, amount at present to less than 5,000 souls. Indeed, the rapid increase of this branch of the community is becoming every day more obvious, and strongly points to the necessity of some opening being speedily provided for its enterprize and activity. It is of no use to suppose that the want of education (great though the drawback be) will for ever keep this class in the back-ground. Great spirits will rise among them, and while the natives of the country are progressing gradually in the scale of moral improvement, through the diffusion of general knowledge in the vernacular tongue, the Eurasians, imbibing the energy of their fathers, will push forward through every obstacle, and outstripping the taught Hindoo, one day run the race of competition with their English brethren.”

#### TRADE.

We lately gave a brief account of the state of the trade in Europe articles between this place and Great Britain, and it was to be supposed, from the publicity and nature of the data on which our calculation was founded, that at least some notions might be springing up in England of the utter hopelessness of profitable homeward freight being obtained from India during the present mania for filling harbours with superfluous tonnage. Such, however, does not appear to be the case, for we learn from a London paper, that the proprietors of a vessel which had been lying

lying unemployed for more than eighteen months, accepted a freight to India at the miserable pittance of twenty-five shillings per ton!—(the charge in the Company's ships is twenty-five pounds) in the hope, that though they must lose greatly going out, they might, perhaps, procure such a freight home as would pay their expenses. It is sufficient to add, that freight is hardly procurable here now at one pound per ton!—*Bom. Cour.*, Aug. 2.

#### THEATRICALS.

Whether it is owing to the march of morality, says the *Bombay Courier*, or to the want of money, or to the growing love of early hours, or to fashion, or to the progress of fastidiousness, or all of these causes put together, that the Bombay theatre is now a desert, a very wilderness, in sooth we know not, but the fact is no less undeniable than melancholy that play-going is out of "tune," and the amateurs at present exhaust their histrionic powers before benches as bare as a beggar's trencher.

The theatre at Surat opened on the 5th August for the season, under somewhat better auspices. Some opposition was made by the old orchestra at the introduction of a military band.

#### SHIPPING.

##### Arrivals.

Sept. 2. *Sovereign*, Nesfield, from Liverpool.—*G. Crown*, Baird, from Greenock.—*B. James and Thomas*, Asbridge, from Liverpool.—*26. Royal George*, Wilson, from London.—*Oct. 9. Ulster*, Shannon, from Liverpool.—*13. Charles Kerr*, Brodie, from London.—*18. Curtha*, Lindsay, from Bengal.—*19. Emma*, North, from London; and *Prince of Orange*, Jameson, from Leith.—*20. Isabella*, Fox, from London; *Ether*, Robinson, from ditto; *Fifehire*, Crawley, from Bengal; and *Condrooke*, Strachan, from Liverpool.—*21. Bengal*, Ferguson, from Liverpool.—*Dorothy*, Garnock, from Liverpool.

##### Departures.

Sept. 6. *Ceres*, Warren, for Tellicherry, Ceylon, and London.—*7. Clyde*, Scott, for Bengal.—*9. Thorne*, Johnstone, for London.—*20. Francis Warden*, Webster, for Calcutta.—*26. Atcyon*, Muir, for Liverpool.—*27. Hydery*, Pales, for Calcutta.—*28. Bordelais*, 22 parts, for Bordeaux.—*Oct. 2. Hibbert*, Marley, for London.—*4. Arcturus*, Baillie, for London.—*5. Lady Raffles*, Tucker, for London.—*6. Ann*, Stephens, for Ceylon.—*12. Sovereign*, Nesfield, for Liverpool.—*21. Margaret Johnson*, Sowerby, for Mauritius.—*23. City of Aberdeen*, Duthie, for Mauritius.—*25. Chatham*, Bragg, for London; and *Pomona*, Ilighat, for Liverpool.

#### BIRTHS.

Aug. 2. At Mhow, the lady of Capt. H. N. Cor-selle, 18th N.I., of a son.  
6. At Bombay, the wife of Mr. S. Ribeiro, of a son.  
12. At Bombay, Mrs. Cressleman, of a daughter, still-born.  
Sept. 4. At Tannah, the lady of J. B. Simpson, Esq., of a daughter.

#### MARRIAGES.

Aug. 14. At Bombay, David Jones, Esq., of Pengelly, Cardiganhire, South Wales, to Anne Charlotte, youngest daughter of the late Assist. Surg. John White, of H.M.'s 17th L. Drago.—At Bombay, Major S. Powell, deputy adjt.-gen. of the army, to Miss Goodfellow, eldest

daughter of Lieut. Col. S. Goodfellow, chief engineer at this presidency.

#### DEATHS.

Aug. 2. At Mhow, of a severe attack of small-pox, Lieut. H. W. Pickford, 18th N.I., aged 25.  
4. At Poonah, after an illness of seven days, Lieut. A. S. Walker, of the Bombay engineers.  
6. At Aurungabad, of cholera, Capt. R. Swinton, in the service of H.H. the Nizam, late of H.M.'s 20th Foot, aged 50.  
7. At Bombay, Mr. H. Bannister, head-draftsman in the quarter-master general's department, aged 22.  
8. At Bombay, of fever, Geo. Forbes, Esq., of the firm of Messrs. Forbes and Co., in his 28th year.  
12. At Bombay, Mr. Thos. Cron, surgeon of the H.C.'s ship *Marquis Camden*.  
14. At Bombay, Caroline, wife of Mr. H. Cressleman, aged 28.  
28. At Deesa, Ens. A. C. Donaldson, 2d Regt. European Infantry, aged 19.  
Sept. 7. At Bombay, Charles Clerk, Esq., of the civil service, youngest son of the late R. Clerk, Esq., of the Madras civil service, and of the East-India direction.  
10. At Sattarah, Lieut. Col. John Taylor, 1st European Regt.

## Ceylon.

#### CIVIL APPOINTMENTS.

Aug. 14. W. Moir, Esq., to be assistant to collector of Colombo and sitting magistrate at Calcutra, v. M. Wilmot, Esq.; dated 1st Sept. 1828.  
C. E. McNaughten, Esq., to be assistant to collector of Jathapatam, v. W. Moir, Esq.; dated 1st Sept. 1828.

#### INUNDATION.

We understand that at Ceylon the rains have fallen most abundantly. At Colombo the deluge had been so great as to produce a dreadful inundation, by which much property was destroyed. Collections were making by the clergy and others for assisting the government in relieving the distresses of the natives who suffered from this disaster.—*Mad. Cour.*, July 22.

#### SHIPPING ARRIVALS.

Aug. 23. *Stentor* (transport) Fairweather, from London.—Sept. 6. *Darius*, Hunter, from London.

#### BIRTHS.

Aug. 19. At Point-de-Galle, the lady of Dr. Sillery, medical staff, of a daughter.  
10. At Galle, the lady of Lieut. Luxmore, H.M.'s 16th regt., of a daughter.  
15. At Colombo, Mrs. L. W. Shortt, of a daughter.

#### MARRIAGE.

Aug. 30. At Colombo, Lieut. C. H. Roddy, H.M.'s Ceylon Rifle regt., to Johanna, youngest daughter of the late J. F. Conrady, Esq.

## Penang.

#### BIRTH.

Aug. 4. The lady of Lieut. R. T. M. Sprye, 9th Madras N.I., of a son.

## Malacca.

#### BIRTHS.

July 18. The lady of T. Williamson, Esq., of a daughter.  
19. The lady of E. Martzman, Esq., of a son.

## Netherlands India.

### THE MOLUCCAS.

The Commissioner-General of Netherlands India has resolved, firstly, to take the following resolutions respecting the government culture and trade of the Moluccas.

10th. Henceforth no trade in linen and cotton manufactures and rice in the Moluccas will be carried on for account of government, as this traffic is entirely abandoned to private speculators, with this exception, that only the linen and cotton manufactures, used in payment of rice at Manado, and likewise the linen and cotton manufactures, rice and other merchandize used for advances to the nutmeg planters of Banda, will be provided for by government in the same manner as is done at present, until, through time, the above-mentioned articles can be procured by means of private traders.

17th. The existing prohibition on the traffic in fire-arms and gunpowder remains in full force; nevertheless, for the use and accommodation of the native traders, the common sort of infantry, or cartridge-powder, may be purchased at the government's magazine in the Moluccas, at 75 per pound, though only in such quantities as will suffice for their safety and defence, according to the opinion of the principal civil authority.

18th. With regard to the interior and exterior trade of the Moluccas, the following regulations will be observed:—

(a) The existing prohibitions against the trade of foreign ships and vessels in the Moluccas remain in full force.

(b) In general, all ships and vessels allowed to trade to the Moluccas are not permitted to traffic any where else but at Amboyna, Banda, Ternate, Manado, Kima, except having express authority to do so from the residents of the afore-mentioned places.

(c) The prows belonging to inhabitants of the Moluccas may trade freely from one island to another in that archipelago.

(d) The five harbours, mentioned in § b, shall only be open for Netherlands ships, or vessels coming directly from the Netherlands; or from the Netherlands possessions in India, or also from China, and for all ships and vessels belonging to inhabitants of Netherlands India, or to the native princes and nations in friendship with the Netherlands government, provided they come from the Netherlands, or any one of its possessions. No ships or vessels, coming from harbours belonging to foreign nations, shall be admitted in the Moluccas, with the exception above-mentioned of Netherlands ships and vessels coming from China, and the exceptions yet to be made regarding Chinese junks.

(e) At Amboyna and Ternate the Chinese junks will be specially admitted, provided they carry nothing else thither but Chinese goods coming direct from China or from the Netherlands possessions.

(f) In the afore-mentioned five harbours, all sorts of spices will be brought to market which are not the produce of government's private plantations, and consequently not belonging to the system of monopoly, likewise all other productions of the soil or of the native industry of the Moluccas.

(g) Nevertheless, the importation of cloves is prohibited at Amboyna and Ceram, and also the importation of nutmegs and mace at Banda.

(h) The exportation of spices and other productions of the soil and native industry of the Moluccas, from the five harbours mentioned in § b, shall not be subjected to any restrictions, if the export duties be properly paid,

(i) Ships or vessels belonging to inhabitants of Java and Madura may proceed directly to the south-east and south-west islands.

(k) The same permission is likewise granted to ships and vessels belonging to the inhabitants of Macassar.

(l) Excepting what has been fixed by § c, all other ships and vessels, about to trade with the south-east islands, must receive a previous permission from the residents of Amboyna and Banda, and be provided with proper passports for each voyage by these authorities.

(m) Excepting likewise the provision made in § c, all produce exported from the south-east and south-west islands must be carried to one of the five harbours mentioned in § b, with the exception alone of those ships and vessels, mentioned in § i and k, which may respectively carry their cargoes direct to Java, Madura, and Macassar.

19th. The produce of the Moluccas, which is directly carried to one of the five harbours mentioned by art. 18, § b, shall not be subject to any import or export duties on its departure from the place where it has been first loaded, or on its arrival at one of the five harbours before-mentioned, although when re-exported, even in the same vessel, the export duties will be exacted.

20th. According to the preceding article the import and export duties will be levied in the following manner, in the harbours of Amboyna, Banda, Ternate, Manado, and Kima.

#### I.—Exemption from Import Duties.

From the payment of import duties will be exempted:—

1st. All productions of the soil and of the native industry of the Moluccas.

2d. All goods imported with certificates of their being of Netherlands origin.

3d. All goods of which the export duties have been paid at Java, Madura, and Macassar, if they are accompanied with the necessary certificates from the collectors of customs.

4th. All goods of which the export duties have been paid in one of the harbours of the Moluccas, provided they are accompanied with a certificate to that effect from the collectors of customs.

5th. All jewels, precious stones, unwrought gold, and silver, Java salt, cattle, and baggage.

### II.—Of the Import Duties.

The import duties will be levied in the following manner:—

On foreign European and American woollen and cotton manufactures, imported from a Netherlands possession, 25 per cent. upon the value, calculated according to the last quarterly price-current issued by government.

On ditto imported from a native harbour without proofs of their having been previously loaded in one of the harbours of Netherlands India, 35 per cent. upon the value, calculated as above.

On cotton goods the manufacture of Bengal and the west of India, 12 per cent. upon the value calculated according to the market price, or the invoice price increased with 30 per cent.

On cotton goods the manufacture of China, Manilla, or the eastern archipelago, 6 per cent. upon the value calculated as above.

On opium and other articles, according to the tariff published 8th February 1822 (Staatsblad, No. 7.)

On all other goods, as also preserved nutmegs, 6 per cent. upon the value, calculated as above.

On all salts (except that of Java) f. 6 per pecul of 125 lbs.

### III.—Exemption from Export Duties.

From the payment of export duties will be exempted—

All productions of the soil and of the native industry of the Moluccas of which the export duties have been paid in one of the factories of the Moluccas, if such is proved by proper certificate of the collectors of customs, and provided no doubt exists respecting the identity of the goods.

Also jewels, pearls, precious stones, unwrought gold and silver, rice, Java salt, cattle, and baggage.

### IV.—Of the Export Duties.

The export duties will be levied in the following manner:—

	Per Pecul.
On Nutmegs.....	F. 9 50
— Mace .....	10 0
— Cloves .....	9 50

Per Pecul.

On wild, or male nutmegs ...	4 0
— Coffee .....	2 0
— All salt, except that of Java	2 0

On birds'-nests, tripang, tortoiseshell, preserved nutmegs, and all other goods, six per cent. upon the value; but if exported to foreign harbours the double of that duty.

### Particular Regulations.

The collectors of the customs may, after having received permission from the chief local civil authority, at their own risk, grant a credit of one or two months to the traders for the duties which are due under such security, as they may find proper to demand, and as an indemnity for this credit they may demand two per cent. upon the amount for which credit has been given.

21st. According to, and in connexion with the above regulations to repeal art. 25 of the resolution, passed for the exaction of the import and export duties of Java and Madura, dated 28th August 1818 (Staatsblad No. 58) by which the importation of cloves, nutmegs, and mace, for private account is prohibited, to repeal the resolution of the Governor-General of the 12th Sept. 1819, (Staatsblad No. 71) by which the import of wild or male nutmegs so called is prohibited, and also with alteration and amplification of the resolution of the 29th December 1825, (Staatsblad No. 46) by which the importation of spices from Bencoolen to the other possessions on the west coast of Sumatra and to Batavia is made duty free, and in future all sorts of spices but especially cloves, nutmegs and mace, and also the Balian wild or male nutmegs so called, may be imported, exported and sold for use, in all Netherlands India, nevertheless with the exceptions already made above, that no cloves may be imported into Amboyna and Ceram, and no nutmegs and mace (except the wild male nutmegs) into Banda, and neither exported from thence by private persons without consent of the local authorities, on pain of confiscation and a fine of ten times the value.

Typpannas, 13th August, 1827.

(Signed) Viscount DE BUS DE GESNIES.

## China.

The Canton Register of May 24, contains an article on the Chinese laws relative to foreigners.

China, we are told, is governed by law; that is, no minister of state, nobleman, governor, or any body else, can openly act contrary to law sanctioned by the Imperial Majesty. The monarch, it seems, is the only lawless person or individual, above the law in the empire, and from this despot all law may be said to emanate; but of course,

course, as elsewhere, the Chinese code bends less or more to the spirit of the age, so far as public opinion can develop itself in such a place as China.

Foreigners, according to the Chinese laws, are to be punished the same as natives. This principle is recognized by the English laws in cases of felony. The original law, however, the editor of the *Canton Register* contends does not apply to foreigners trading to China, or for a time resident there, but to those who have become voluntary subjects of the empire, or as they term it, submitted to be "transformed, converted, or civilized." It has reference, in a word, to the Tartar tribes, who wish to be considered Chinese subjects.

In cases of death by violence, in the Chinese code, as translated by Sir George Staunton, there is a declaration that palliating circumstances in instances of homicide would justify the alleged perpetrator's being sent to his own country to be punished.

The spirit of the section respecting "illicit exportation of merchandize," is, that all foreign nations are enemies to China; that she allows no free nor friendly intercourse; that she wishes to keep her affairs a secret from foreigners; and that all who trade with foreigners, except such as are licensed by Government, are Chinese traitors; or, as it is in the Canton dialect, *Hoankan*. If any one is at all suspected of giving any information, legal advice, or similar help, to a foreigner, the local

government immediately raises the cry "*Hoankan*." Those natives who teach the language to foreigners, or write a petition for them, or shew a foreigner the way to the city gate to present it, is called a *Hoankan*. The governor, who stuck up outside government-house his abusive reply to the Americans the other day, declares he will treat the shopmen as *Hoankan*, Chinese traitors, if they continue to trade. The punishment is, we believe, in extreme cases, death by decapitation.

## Madagascar.

A return laid before the House of Commons and ordered to be printed, 10 July 1828, contains the following abstract of expenses incurred by the government of Mauritius on account of Madagascar; viz.

In 1813 ...	£607 ...	1821 ...	£6,381
1814 ...	727 ...	1822 ...	14,705
1815 ...	1,357 ...	1823 ...	7,441
1816 ...	4,962 ...	1824 ...	2,430
1817 ...	8,415 ...	1825 ...	7,398
1818 ...	411 ...	1826 ...	4,938
1820 ...	848		

£60,620

To which must be added expenses in England, on account of the Madagascar prince and gentry, in the years 1821 to 1825. ... 3,658

Total £64,278

## INDIA SECURITIES AND EXCHANGES.

Calcutta, Sept. 18, 1828.

### Government Securities.

Buy.] Rs. As.	Rs. As. [Sell
Prem. 25 8 Remittable .....	24 8 Prem
Disc. 0 6 Old Five per cent. Loan ..	0 14 Disc.
Prem. 0 2 New ditto ditto .....	0 2 Disc.
6,000 0 Bank of Bengal Share 5,900 0	

### Rates of Exchange.

On London, 6 months' sight,—to buy 1s. 10½d.  
—to sell 1s. 11d. to 2s. per Sicca Rupee.  
On Madras, 30 days' ditto, 91 to 92 Sicca Rupees per 100 Madras Rupees.  
On Bombay, ditto, 98 Sicca Rupees per 100 Bombay Rupees.

### Bank of Bengal Rates.

Discount on private bills and notes 7 0 per cent.  
Ditto on government and salary bills 4 0 ditto.  
Interest on loans on deposit, 2 months 6 0 ditto.

Madras, Sept. 24, 1828.

### Government Securities.

Six per cent. Bengal Remittable Loan.

At the Rate of Subscription, viz. 350	
Madras Rs. per 335 Sa. Rs. ....	31 Prem.
At the Rate prevailing among Merchants and Brokers in buying and selling Public Securities, viz. 106½ Madras Rs. per 100 Sa. Rs. ....	29 Prem.

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### Five per cent. Bengal Unremittable Loan.

At the Rate of Subscription, viz. 350	
Madras Rs. per 335 Sa. Rs. ....	3½ Prem.
At the Rate prevailing among Merchants and Brokers in buying and selling Public Securities, viz. 106½ Madras Rs. per 100 Sa. Rs. ....	1½ Prem.

Five per cent. Bengal New Five per cent. Loan, dated 18th Aug. 1825.

At the Rate of Subscription, viz. 106½	
Madras Rs. per 100 Sa. Rs. ....	3 Prem.

Bombay, Sept. 13, 1828.

### Exchange.

On London, at 6 months' sight, 1s. 8½d. per Rupee.  
On Calcutta, at 30 days' sight, 106-2 Bom. Rs. per 100 Sicca Rupees.  
On Madras, at 30 days' sight, 99 Bom. Rs. per 100 Madras Rs.

### Government Securities.

Remittable Loan, 134 to 135 Bom. Rs. per 100 S. Rs.  
Old 5 per cent.—106 Bom. Rs. per 100 Sa. Rs.  
New 5 per cent.—106 to 106½ Bom. Rs. per 100 S. Rs.

Singapore, July 12, 1828.

### Exchange.

Gov. Bills on Bengal, per 100 Sp. Ds. 207 Sa. Rs.  
Private Bills on ditto—none.  
Private Bills on London, per Sp. Dr. 4s. 2d.—none.



## SUPPLEMENTARY INTELLIGENCE.

## Calcutta.

MILITARY APPOINTMENTS,  
PROMOTIONS, &c.

*Fort William, Sept. 13, 1828.*—Lieut. D. P. Wood, 17th N.I., to be capt. by brevet, from 7th Sept. 1828.

*Army Commissariat Department.*—Capt. W. Burlton, prom. from 1st class of deputy assistants to 2d class of assist. commis. general; Capt. J. D. Parsona, prom. from 2d to 1st class of deputy assist. commis. general; Lieut. C. J. Lewes, sub-assist., to be a deputy assist. com. gen. of 2d class; Lieut. W. Foley, 10th N.I., to be a sub-assist. com. gen., in suc. to Barnett, whose prom. to a company in 53d N.I. vacates his appointment; two captains being already absent on permanent staff duty from that corps.

Capt. J. Manson, 72d N.I., and Surg. G. Govan, medical estab., placed at the disposal of Com.-in-chief from 1st Nov., consequent on closing of geological survey of Himalayan mountains.

Lieut. White, 66th N.I., being no longer required in construction of road from Chittagong to Arracan, placed at disposal of Com.-in-chief.

Assist. Surg. Wm. Bell, attached to civil station of Moorshedabad, at his own request, placed at disposal of Com.-in-chief.

*Head-Quarters, Aug. 16, 1828.*—Lieut. C. H. Naylor, to act as interp. and qu. mast. to 8th N.I., v. Farquharson resigned; dated 1st Aug.

Aug. 20.—Lieut. W. Riddell to act as adj. to 60th N.I., v. Cobbe removed; dated 12th Aug.

3d Extra N.I. Lieut. E. Wintle to be adj., v. Pollock dec.

Aug. 21.—Ens. A. Kennedy, 22d N.I., and Ens. T. E. H. Pemberton, 67th do., permitted to exchange regiments.

## FURLOUGHS.

To Mauritius.—Sept. 13. Capt. R. W. Smith, 6th L.C., for fourteen months, for health (eventually to New South Wales).

To Singapore.—Sept. 13. Lieut. E. H. Ludlow, regt. of artil., for three months, for health.

Cancelled.—Sept. 13. Surg. E. Mustar, to Europe.

## MISCELLANEOUS.

## SIMLA.

A letter from Simla, dated 3d August, gives the following description of that charming place.

‘ This is a most delightful climate, and it would be impossible for the most romantic imagination to conceive a scene surpassing what these mountains naturally afford. We are about thirty miles from the plains, and nothing but the most stupendous mountains is to be seen, each towering above the other, in majestic succession, as far as the eye can reach. The mountains are not in ranges, but in the wildest irregularity, resembling as it were the waves of a troubled sea. From Bhar, where we first entered the hills, to this place, there is not, except at Subathoo, as much level ground as to build a house on. The road (from ten to eighteen feet wide) winds round the brows of the mountains; and the precipices, overhead in some places,

and underfoot in others, are truly frightful. The hills by which we are surrounded are adorned with wood and shrubs in great variety; and the oak and fir grow in full abundance. On our first arrival we were surprised and delighted with the view of the snow-covered mountains, which the natives said were distant nine days’ journey, but which to us did not appear to be so many miles. Even here there was snow, in some places two feet deep; but it soon melted, and almost disappeared on the snowy mountains. The rains set in some time ago; when it rains here, it appears to snow higher up, as on being relieved from the dense clouds with which we are almost constantly enveloped, the distant mountains again present us their former venerable and hoary aspect.—*India Gaz., Sept. 18.*

## LORD COMBERMERF.

The route by which Lord Combermerf intends returning to Calcutta has, we understand, been decided on. His Lordship, it is said, will commence his march on the 15th October, and proceed via Kurnal, Meerut, Delhi, Jeypore, Ajmere, Nusseerabad, Neemuch, Bhopalpoore, Saugor, and Rewah to Mirzapore, where his Lordship, it is supposed, will embark to Chittagong about the 1st of March 1829.—*Ibid.*

## EARTHQUAKE.

At a-quarter after seven o’clock this morning a severe double shock of an earthquake was felt in Calcutta. The jarring motion of the earth was vertical, and shook with considerable violence the house and furniture—the wall shades at the same time giving a tremulous sound. There was not a breath of air at the time, the weather being excessively sultry and close, and such indeed as is generally observed to prevail when an earthquake occurs.—*Ibid.*

## SHIPPING.

## Arrivals in the River.

Aug. 26. *Asia*, Stead, from Madras; and *Edward Aldridge*, from Isle of France.—Sept. 4. *Alexander*, Oakley, from Mauritius and Madras.—8. *Malgache*, Courtin, from Bourbon.—17. *Andes*, King, from Liverpool, and Lima; and *Vesper*, Brown, from London and Madras.—22. *Chieftain*, Blair, from Liverpool; H. C. S. *Asia*, Balderston, from London and Madras; *Mangles*, Carr, from Madras; and *Mary*, Dobson, from Greenock.—26. *St. George*, Swainston, from Liverpool; and H. C. S. *Marchioness of Ely*, Mangles, from London and Madras.—28. *Fairey*, Welburne, from Liverpool.

## Departures from Calcutta.

Sept. 14. *Midas*, Watson, for N. S. Wales.—15. *Princess Charlotte*, Stephenson, for Mauritius; *Fame*, Bullen, for ditto; *Copernicus*, Stevens, for ditto; *Victory*, Farquharson, for London; and *Minstrel*, Arckcoll, for ditto.—16. *Clyton*, Miller, for Mauritius; and *Craigievar*, Ray, for Isle

Isle of France.—17. *Bradock*, Whinyates, and *Othello*, Thomson, both for Liverpool.

#### BIRTHS.

Aug. 30. At Agra, the lady of Capt. W. Turner, fort adjutant there, of a daughter.

— At Agra, the wife of Mr. J. W. Caplain, of the Bhurtpore political agency, of a son.

31. At Agra, the wife of Mr. L. P. Lyons, of a daughter.

Sept. 15. At Howrah, the lady of J. H. Currie, Esq., of a daughter.

#### MARRIAGES.

Sept. 1. At Dinapore, J. L. Lenancker, Esq., to Miss Mary Jane Francis, fifth daughter of Lieut. Col. R. Francis, of the Hon. Company's service.

13. At Calcutta, Mr. Lewis Castello, to Miss Catherine D'Rozario.

15. At Calcutta, Mr. P. L. Courtiez, to Miss Amelia Vanquelin.

#### DEATHS.

Sept. 9. At Calcutta, Mr. M. Nicholas, undertaker, aged 37.

12. At Calcutta, Mrs. Ann Harrison, aged 35.

13. At Sydadbad, Mrs. Mary M. Varden, relict of the late Manalsaken Varden, Esq., aged 35.

Latest. At Burampore, Mr. Geo. Boyd, aged 22, eldest son of Geo. Boyd, Esq., of Pubna.

## Netherlands India.

### THE INSURRECTION.

Accounts from Batavia to the 16th Oct. state, that on the 4th of September Diepo Negoro had passed the Progo with a considerable force, but had been soon obliged to repress it, having been defeated with great loss, in two actions on the 5th and 8th. He and his men shewed great courage in these actions. They lost 166 men, including twenty-three chiefs. Our troops sent a detachment to Sombiretto, Diepo Negoro's capital, and to Canjonmerang. They found the former abandoned. On the 14th a part of our troops who had halted, was twice attacked by the rebels, under Diepo Negoro, who were vigorously repulsed. An expedition of Col. Cleerens, to expel the enemy from the district of Lenges, had perfectly succeeded.

The Batavia journals contain an account of a check suffered by Major Buschikens, in Bagilleen, near the dessa of Kario. The rebels had passed the river Bogowonto, and the Major, who followed them with his troops, soon discovered them drawn up in order of battle near the dessa. When he got within 200 paces, he opened a fire of grape and musketry, and the enemy was driven back; he then ordered a charge of his cavalry, followed by the battalion of the Tommongong Siendo Negoro, which formed his left wing, keeping in order of battle his detachment of Madurese and Tangalese with a small cannon. But scarcely was the cavalry engaged, when a body of infantry, well equipped, which had been concealed, rushed from the dessa upon our line, without being stopped by its well supported fire. The Major then advanced to the charge with bayonets, but the

enemy furiously attacked the lines, which they broke; all those who were not taken, killed, or wounded, took flight; even the cavalry was forced to fall back, and thus the victory gained by the enemy was decisive. The major with difficulty escaped from the general carnage which followed, and had the good fortune to rejoin his cavalry, to rally it, and to reach the bending of Lengis, since it was impossible to rally the infantry. The loss of the column, as far as it could be estimated, amounts to five Europeans, six Amboynese, 150 Tangalese, and two small cannon, with their horses, ammunition, and artillerymen, and the battalion of the Tommongong Siendo Negoro, which however, it is thought, fled towards the east.

Rotterdam, Jan. 28.—His Majesty's frigate *Russel* is to be ready for sea by the 1st of February, to go to the East-Indies, and take on board M. Van den Bosch, the Governor-general.

## Persia.

Tiflis, Dec. 24.—The success of the Russian arms in the war against Persia has made an advantageous impression during the present war on the marauding tribes who live on the side of the Caucasus: they are perfectly quiet, and show themselves extremely well disposed towards us. On the line of the Caucasus, General Immanuel has gained fresh advantages over the mountaineers.

We have news from Tabreez to the end of November. On the 24th O.S. the minister of Russia notified to Abbas Mirza the taking of Varna, and the happy return of the emperor to St. Petersburg, which news his highness heard with much pleasure. On the 25th the Russian minister, the officers of the mission, and the Russian subjects who are at Tabreez, most of whom are Armenians, assembled in the Armenian church, to return thanks to heaven for the brilliant successes of the Russian arms. This ceremony was accompanied with the ringing of bells, which are hardly ever heard in Mahomedan countries. The minister afterwards gave a dinner, and in the evening the Georgian caravansery was illuminated according to the oriental custom; the display of fire-works and the firing of muskets continued till late in the night, and it was curious to see the Russian merchants, several of whom had been janissaries, mingle in the crowd and share in the general joy. Next day Abbas Mirza, desiring to show his interest in our monarch's glory, invited our minister and the gentlemen belonging to the mission to dinner. This entertainment was succeeded by various rejoicings and representations in the eastern fashion, and the evening was closed with a brilliant display of fire-works.—*German paper.*

## Postscript to Asiatic Intelligence.

PENANG papers announce the melancholy intelligence of the death of the Bishop of Calcutta, on board the H.C.'s ship *Marquess of Huntley*, at sea, on the 22d August. A general order was issued on the occasion by the government of Fort Cornwallis, directing the flag of the Fort to be hoisted half-mast high, and the firing of 43 minute guns, corresponding with the age of the late prelate, to be fired from the ramparts.

Papers from Bombay, communicate the intelligence of the death of Lady West, relict of the late chief justice; Mrs. Hawtayne, wife of the archdeacon; and Mr. Pollexfen, ship-builder. The death of Sir C. H. Chambers is confirmed by the

same. Trade at Bombay was still dull. Freight, on the 25th Oct. was from 10s. to 15s. per ton. Numerous vessels had left in ballast, expecting to find cargo at the Cape of Good Hope, or the Mauritius.

Freight at Calcutta, on the 18th Sept., was for dead weight £2. to £2. 5s. per ton; measurement, £4. to £5. At Madras, on the 25th Sept., it was £2. 10s. to £3. per ton.

Cape of Good Hope papers to the 30th of November, state that the crops in the interior of the country were suffering from drought; throughout the colony generally, however, a fair crop was expected.

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## Royal Asiatic Society of Great Britain and Ireland.

February 7, 1829.—The Right Honourable Charles W. Williams Wynn, president, filled the chair at the general meeting of this day.

Various donations were laid before the meeting from Captain Marryat, R.N., C.B.; Sir A. Johnston; T. Tooke, Esq.; the Earl of Stanhope; P. Auber, Esq.; and Capt. Low.

William Scott, Esq. and William Chaplin, Esq. were elected resident members of the Society; as was John Robert Steuart, Esq. member of the Literary Society of Bombay, in conformity with the regulations sanctioned by the special general meeting of the 3d of January.

Professors Adelung of St. Petersburg, Grötefend of Hanover, and Père L'Amiot of Macao, were elected foreign members of the Society.

Lieutenant James Edward Alexander's Account of the Cave Temples of Adjuntah, in Berar, was read.

It was in the year 1824 that Lieutenant Alexander visited these extraordinary excavations (situated in lat. 20° 25' N., long. 76° 12' E.), which he considers equally worthy of a separate publication with the temples of Ellora, although, as yet, he believes them to be undescribed. After a description of the pass which led to the caves, and which was much infested with Bheels and tigers, Mr. Alexander states, that the temples in question are excavated in horizontal strata of grey wache, with imbedded portions of quartz, approaching chalcedony. The series of caves faces the south, but gradually ascends on the ridge, the first cave being from forty to fifty feet above a stream which traverses the glen, while the centre ones are about 150 feet. The general appearance of the caves is similar to that of the Ellora excavations, but there is a great deficiency of ornamental carving, &c., to compensate for which, however, in most of the caves, are highly preserved paintings in fresco, exhibiting, in glowing tints, the crisp-haired aborigines of the sect of Buddhists, who were driven from India to Ceylon after the introduction of Brahmanism.

Lieut. Alexander then devotes a brief space to an inquiry as to the probable antiquity of these temples, from which he concludes that their age is nearer 3,000 than 2,000 years.

The remainder of the paper is devoted to a detailed description of several of the caves, as far as the limited time of Lieut. Alexander would allow him to examine them.

*February 21.*—The general meeting of the Society was held this day, at two o'clock p.m.; the Right Honourable Sir Gore Ouseley, Bart., V.P., in the chair.

Donations were laid before the meeting from Sir Alexander Johnston; P. V. Robinson, Esq.; Rev. Dr. Knatchbull; J. Mitchell, Esq.; G. Higgins, Esq.; the Linnean Society; R. Clarke, Esq.; and Major Gen. Hardwicke.

Henry Bonar, Esq. and James Bathgate, Esq., were elected resident members, and Professor J. R. van Eerde, of Groningen, was elected a foreign member of this Society.

John Robert Stuart, Esq. and William Scott, Esq. were admitted members of the Society.

A paper by Dr. Bernhard Dorn, For. M.R.A.S., being a description of the astronomical globe in the Society's museum, was read.

Dr. Dorn prefixes to his description of this globe, an essay on the progress of astronomy among the Mahommedan Arabs, &c., by whom he considers this science to have been carried into Persia, from whence the Greeks obtained their knowledge of it. In proof of which, he remarks, that in the middle of the thirteenth century, astronomy was so little attended to among the Greeks, that Chionides of Constantinople was compelled to travel into Persia, to gratify his desire of becoming acquainted with it; and although backed by the strongest recommendations of the Greek emperor, it was not until a considerable time had elapsed, that he was allowed to receive the instruction he so much desired; on account, it is said, of a prophecy prevailing among the Persians, to the effect that the Christians would overthrow their empire by means derived from astronomy.

After a sketch of the principal Mahommedan princes who were famous for their liberal encouragement of the sciences, particularly astronomy, and notices of the most celebrated Arabic and Persian writers upon that subject, Dr. Dorn proceeds to a description of the three globes, which are all that are known with certainty to exist, of the manufacture of the early Mahommedan astronomers. The first of these is in the museum of the late Cardinal Borgia, at Velletri in Italy; the second, in the Astronomical Museum at Dresden; and the third, which is the subject of the present essay, is the property of Sir John Malcolm, by whom it was deposited in the museum of the Royal Asiatic Society. All three of these globes are of brass, and appear to have been made in the same century; the first was made in Egypt, in the year 622 of the Hejra; the second was manufactured at Maragha (the court of Hulagou Khan), in A.H. 686; and the third at Moosul, in A.H. 674.

The paper is concluded with a list of the constellations and their stars, as exhibited on the last-mentioned globe, which was upon the table while the essay was reading; as was likewise a smaller globe of brass, with the names of the stars in Arabic; this last is the property of the Astronomical Society of London, but is considered to be of a very recent date.

It was then announced by the Chairman, that the next general meeting of the Society would be held on Saturday, March 7; and that the anniversary meeting and dinner would take place on the Saturday following, *viz.* March 14.

His Excellency the American ambassador was present at this meeting.

## HOME INTELLIGENCE.

## IMPERIAL PARLIAMENT.

February 5.

Parliament was opened this day by Commission. The speech contained no allusion to Indian topics.

## HOUSE OF COMMONS.

*Sir A. Campbell.*—After the return of the Speaker from the House of Lords, he stated to this House that he had received a letter from Sir Archibald Campbell (enclosed in a letter from Lord Combermere, dated Simla, 20th May 1828), in return to the thanks of this House. The letter was addressed to Lord Combermere, and dated Moulmyne, 24th March 1828; it was as follows:

My Lord: I have the honour to acknowledge the receipt of your Lordship's letter of the 15th October last, conveying to me the thanks of the House of Commons, through their Speaker, for my conduct during the late operations against the kingdom of Ava. No feeling can be more gratifying to the bosom of a soldier than that arising from the approbation of his country; and this high and honourable distinction will ever be to me a source of honest pride and satisfaction, deeply and gratefully cherished. Allow me to offer my sincere thanks to your Lordship, for the handsome manner in which you have made the above resolutions known to me. I have the honour to be, &c.

ARCH. CAMPBELL, Maj-gen.

## LAW.

## PREROGATIVE COURT, Feb. 25.

*Colvin against Fraser and Others.*—

Sir John Nicholl gave his sentence in the suit respecting the late Mr. Farquhar's will, as follows:

The amount of the property in this case, and the extent of the argument, were such as to impose a painful responsibility upon the individual whose duty it now became to pronounce the judgment of the Court; and the bulk of the evidence, which was not much disproportioned, increased at least the labour and attention necessary to a due consideration of the result. But although the character of the case threw this serious responsibility on the Court, in ordinary cases, the points to be decided would not have been attended with any considerable difficulty: for after maturely considering the evidence in the cause, and weighing the arguments which had been so ably pressed on both sides, the Court should, but for the special circumstances alluded to, have felt little hesitation as to its decision. He should, then, first examine the leading facts of the case; then advert to the principles of law applicable to those facts; and lastly, combining the principles and the facts, state the grounds of his judgment. The party deceased was John Farquhar, Esq., who died on the night

between the 5th and 6th of July 1826, a bachelor, leaving several nephews and nieces, the issue of his brother and sisters, deceased. One of the nieces, Mrs. Trezvant, daughter of the deceased's brother, was his heir at law, provided she laboured under no legal disability to inherit. Mr. Fraser and Lady de la Pole were the children of one of the deceased's sisters; Messrs. James and George Mortimer, and Mrs. Lumsden and Mrs. Aitken, were the children of the other sister. These seven persons were the next of kin, entitled to distribution in case of an intestacy. The personal property amounted to about £500,000, and the real property to about £60,000. In December 1826, administration had been granted to Mr. Fraser, which was called in by Mr. David Colvin, in November 1827, in his character of executor, under an asserted will of the deceased, which originated the present suit. The will propounded bore date the 7th March 1814; it was executed at Calcutta just before the deceased left India, and in duplicate. The learned Judge then recited the contents of the will, which we have already given. The deceased was born near Aberdeen, in 1750, and was educated at the Marischal College, for the medical profession. He went to India at the age of nineteen, entered the army, was wounded, proceeded to Calcutta, and, having a taste for chemistry, superintended the manufacture of gunpowder. His undertakings were successful; and, aided by a very strict frugality, in the course of forty-five years he amassed an immense fortune. He had kept up little direct correspondence with his family. His brother had proceeded to America about the same time that he went to India; and the deceased acknowledged in a letter to his friend, Mr. George Wilson, in 1785, that "he did not recollect much of him." In 1815 he became a partner in Messrs. Whitbread's brewery, and also in the East-India agency-house of Bazet and Co. In 1815 or 1816, he sent for and received his will from India. It seemed rather extraordinary, that in none of the conversations about his will, whether with his partners, his solicitor, his bankers, or Mr. Colvin himself, the deceased ever mentioned that he had a duplicate of the will still remaining in India. In 1816 the deceased visited Scotland. Previous to proceeding there, however, the deceased deposited in the custody of Mr. Bland, his fellow partner in Messrs. Whitbread's house, a paper which he declared to be his will. The deceased, when he gave him

him the paper, observed, "—, man, take care of it, for if any thing happens to me, that is my will." After his return from Scotland, the deceased received back this paper from Mr. Bland. Then here was the original will taken out of the envelope in which it had been received, and put into another, so that at least there were two envelopes, and this was not an immaterial circumstance in the case; and, moreover, here was the will traced back again to the deceased's own possession. Whilst in Scotland, he made inquiry about the Professors and their emoluments, and the state of education in that country, respecting which the Court had the testimony of Professor Davison, who deposed that in conversation, the deceased repeatedly said he had made a will, but did not know if it would be valid. Nothing more was heard of the will, or of any testamentary act, till October 1821. Mr. Drake, his solicitor, deposed to a conversation in 1818, when the deponent suggested that he should make a will, or republish his will if he had made one, as real property, purchased after the date of a will, would not pass thereby, but would go to the heir at law." The deceased replied, "My heir at law, Mr. Drake, is a vagabond in the back settlements of North America." Here, then, the deceased was informed, that an after-purchased estate would not pass by the will he had made; and Mr. Drake had intimated doubts respecting the legal capacity of his heir at law to inherit real property in this country. The deceased, however, took no step till three years after, in October 1821, when being on the point of going to Paris, in company with Mr. Phillips, the auctioneer, a hasty transaction took place at the house of Mr. Colvin. The deceased produced the Indian will, and, whilst the carriage was waiting at the door, altered the will, and executed a testamentary instrument, disposing of the East-Mark estate, which he had purchased, to Mr. George Mortimer. The exact extent of the alterations in the Indian will, any more than the contents of the other instrument, could not now be ascertained: for the latter was destroyed by the deceased in the following year, and the former was not now forthcoming. The amount of the act done must be collected, in some degree, from Mr. Colvin's statements and subsequent acts. Whether there were obliterations or insertions—whether the other instrument was on the back of the will or on a separate paper, were facts in dispute; the subscribing witnesses differed in their testimony. It had been called a codicil, but there was no proof that it republished the will. The observations attributed by the witnesses to Mr. Colvin at subsequent

periods, seemed to show that he spoke of the instrument as a will, not as a codicil. It also explained what the deceased meant when he spoke of "two wills." This instrument was left in the hands of Mr. Colvin, who, as it would appear, without any authority from the deceased, set about drawing up an instrument, embodying and consolidating the Indian will and the other paper of the 2d of October. He took the advice and instructions of Mr. Drake, and prepared a sketch and a draught; the latter he sent to Paris, together with Mr. Drake's letter of instructions. It could hardly be supposed that Mr. Colvin would have dared to introduce or exclude what he did not conceive to be the intention of the deceased, contained in the two papers, or communicated confidentially. But in this draught were some very material variations from the will of 1814. All the annuitants were omitted, a new set of executors were appointed, and a blank was left for legacies instead of annuities. If the Indian will had been thus altered, the obliterations must have been great indeed. The education plan was left, it was true, but even that was slightly altered, "the whole of Scotland" being changed for the counties of "Aberdeen and Mearns." These facts were not immaterial to the question, whether the old duplicate could now be set up, and whether, in point of fact, it was not destroyed. This draught, moreover, contained a legacy to the niece in America, thus expressed:—"I give to my niece —, in America, the sum of £—." This was not improbable to be in the contemplation of the deceased, for he had been devising a real estate to the Mortimers, and depriving his heir at law of it. On the receipt of this paper, the deceased showed a considerable degree of indignation, and began to abuse Mr. Colvin in no measured language, if Mr. Phillips was to be credited, and it was not improbable, for the deceased was an irritable person. They were afterwards reconciled, but the deceased never adverted to the paper, and never executed it, or approved of its contents. In January 1822, the deceased returned to England, and the Indian will and the paper of October 1821, were delivered to the deceased, and deposited in an iron chest, which was conveyed to his house. This Indian will thus traced to him was never after seen by human being, unless it was part of the instrument of October, which the deceased destroyed; but the weight of the evidence inclined the Court to think it was on a separate paper. This instrument was clearly proved to have been destroyed by the deceased, who then became intestate as to his real estate. The Mortimers were excluded, and the new executors were all revoked. Towards the end of 1822, he

purchased the Fonthill estate for 300,000*l.*, which remained in his possession till 1825. In 1823 and 1824 he purchased other estates, mortgages, and assignments of mortgage. The management of the Fonthill concern devolved in 1824 upon Mr. Geo. Mortimer, in whom the deceased reposed great confidence, and to whom, it appeared from the exhibits in the cause, he gave large credit with his bankers. He also gave him some land at Fonthill for the erection of a manufactory of woollens. There were many letters addressed by the deceased to Mr. and Mrs. Mortimer, written in an unreserved manner, and confidential. On the death of the deceased taking place, his friend and his confidential solicitor, Messrs. Colvin and Drake, were sent for; they came and sealed up the repositories, and next day searched them carefully in the presence of Mr. Fraser; but no will was found. The deceased's keys were in the place where he usually placed them. He was accustomed to tie up the two most important keys in two separate corners of a handkerchief, which he placed under his pillow; and they were found there at the time of his death. The only paper found, which was in any degree of a testamentary kind, was an envelope which had contained a will, or copy of a will. Four witnesses spoke to the finding of this paper, but the circumstances they deposed to differed. It seemed to have been found in a drawer, not in the iron chest, of which the deceased was so particularly careful. This paper, accidentally, was not preserved, nor did it appear to be of much consequence how it was endorsed; for whether it was the cover of the will from India, or had enclosed the will when delivered to Mr. Bland, or accompanied the will in the iron chest, or any other paper, was not of very great moment. These leading facts admitted of no controversy; the duplicate will was not seen after the year 1822; it was then in the iron chest, of which the deceased had the key; it was not found there, or elsewhere, after his death. On these facts, the Court had to consider what was the *prima facie* presumption of law as to who had destroyed this instrument. The first presumption was, that the deceased had destroyed it himself; and if that presumption was not repelled by the evidence, the legal consequence was clear that the duplicate in India was revoked. This presumption and legal consequence might be rebutted by evidence, but the burden of proof rested on the party setting up the will. The force of the presumption and burden of proof, in these cases, differed according to circumstances; but the Court must be convinced, if it be contended that the destruction was not by the deceased, by satisfactory proof. It might be established by

circumstances, that the deceased did not do the act, or by direct evidence in a different way, as that he destroyed it when of unsound mind, or in error, or through force and fear, *sine animo revocandi*, or that it had been fraudulently abstracted in his life-time. But under this last supposition, the proof must be still clearer, because here a fresh presumption arose in favour of the party charged, who could be convicted only by facts leading to a certain conclusion of his guilt. All these presumptions were resolvable into the axioms drawn from the common practice of mankind. People were in the habit of keeping their testamentary papers carefully; and if an instrument was not found, common sense suggested the *prima facie* conclusion that he destroyed it with the intention to revoke it; and if he destroyed the instrument in his possession, common sense dictated that he intended to cancel that which was not in his possession. It had been argued that the burden of proof lay on the other party to show that the deceased did destroy it. But this doctrine was new, and the Court could find no authority for it: the authority quoted (Swinburne) expressly negatived it. The learned Judge here observed, that he was unwilling, for obvious reasons, to refer to any *dictum* in this Court in cases decided within the last twenty years, though, as far as he had examined them, he had seen no reason to depart from the doctrine there laid down. The learned Judge then quoted some cases decided by his predecessor, Sir W. Wynn, in which the principles he mentioned were recognized, that where a will was not found, the *prima facie* presumption was that it had been destroyed by the deceased. If, then, the presumption of the evidence established the fact that the instrument was destroyed by the deceased, the legal consequence followed, that the duplicate was also destroyed. This was a point which had been settled in a variety of cases. The learned Judge here quoted the opinion of Lord Mansfield, Lord Erskine, Lord Ellenborough, and Sir James Mansfield, to this effect. The reason of the rule was obvious, for why should a person destroy a part in his own possession, if he meant the other part to operate? The executor might rebut the presumption that the deceased destroyed the paper, not by direct evidence merely, but by circumstances producing a strong moral conviction that he had not done so. The executor seemed to have taken this view of the case, for he not only set forth circumstances to show that the deceased did not destroy the paper, but alleged facts, showing a fraudulent spoliation of the will by another person; and though no direct and specific act was alleged that could be rebutted, it was insinuated

sinuated too plainly to be misunderstood, that Mrs. Mortimer was the person who committed the act. This was a serious offence charged against her, and should be supported by pretty clear proof. If proved, there was an end of the case. It was alleged that the deceased, during the latter period of his life, left his keys and papers about, and that Mr. and Mrs. Mortimer had access to his house in town. What did this amount to? A possibility that an act of spoliation might have been committed, but it supplied no proof of its commission, or the least circumstance from whence it could be inferred. The insinuation could only be supported on the testimony of Mrs. Hurst, an undertaker and upholsteress, at Storey's-gate, who stated that Mrs. Mortimer had declared that she had destroyed the will. There was no means of contradicting this, as no other person was alleged to have been present. The Court considered it an act of justice to Mrs. Mortimer not to get rid of this evidence, on the ground of its inadmissibility. If Mrs. Mortimer had really been guilty of this act of spoliation, it was highly improbable that she should not have thought it improper, or should make it known to this witness. The whole ground-work of the alleged conversation respecting the administration was fallacious. The witness had applied repeatedly for a loan of money to Mr. Mortimer, who had neglected her applications, and it was hardly likely she would have suppressed such a secret. Not getting the pecuniary assistance from Mr. Mortimer, an anonymous letter found its way to Mr. Colvin, stating that Mrs. Hurst could give some important information respecting Mr. Farquhar's will, and thus it came out. The memory of the witness was, however, not very accurate. She denied facts which her own letters proved. In short, no reliance could be placed on the evidence of this witness; and it was but just to Mrs. Mortimer to state, that not only was this charge not proved, but that she was wholly acquitted of the imputation of having destroyed this will. No proof existing that the will was destroyed by any other than the deceased, the case rested on the general circumstances, in order to show the improbability of the deceased's doing it, to lead the Court to conclude that it was done by others. The learned Judge then entered upon a long consideration of the probabilities of the deceased's adherence to the will, observing that the will, *modo et forma*, was not likely to have been adhered to, after the exact inquiries made by the deceased on the spot. On the other hand, the deceased was not destitute of regard for the ties of blood, as appeared from his acts and letters. Ob-

serving the conduct of persons in general, and the example set by the rest of the world, the deceased might conclude that such undertakings were not to be accomplished by an individual, at a great sacrifice, but by the contributions of the many. Then the destruction of the codicil might set up the original will as far as the alteration went, but not the parts cancelled and erased. The learned Judge then proceeded to show the effects of the destruction of the codicil on the interests of the parties and the main question. It did not appear improbable to him, that when the deceased destroyed the codicil, he threw the will into the fire, with the intention of revising the whole of his testamentary concerns. This was more probable than that he wished the Indian will to remain in operation. From that period, the existence of the will wholly depended upon the credit due to the alleged declarations of the deceased; but declarations unsupported by circumstances, were very unsafe and insufficient grounds to repel the presumption of law. The exact words might be misapprehended or misrepresented. The slightest alteration of an expression, or even a letter, might vary the whole import of the declaration. But the insincerity of declarations, especially in regard to wills, increased the danger of implicit reliance upon them. The learned Judge here examined the declarations imputed to the deceased, which he showed to be inconsistent with the facts. He had been importuned by various persons to make a will, and he endeavoured to evade them; and not being able to make up his mind, determined to let the law make a will for him. It did not appear that the deceased had that scrupulous regard to veracity which prevented him from parrying the importunities of his friends, by insincere answers. If the case rested here, therefore, there was not sufficient to repel the legal presumption; but if the Court looked at the facts and circumstances on the other side, how would it then stand? It was true, the presumption of law did not require to be supported by evidence; but if it was, the presumption became strengthened. The learned Judge proceeded to show that the declaration ascribed to the deceased, in regard to an intestacy, were probable and accordant with facts. The probability was strongly increased by the conduct of the deceased in regard to his property. Although he was aware of the operation of the statute of mortmain, and that after-bought real property would not pass by his Indian will, he continued to buy estates. Though irritable and passionate, the deceased was an acute intelligent man. The acquisition of money seemed to constitute his happiness; and, having acquired it, he was



reckless of what became of it after his death. If this consideration was followed up by considering his conduct to his relations, the probability of his destroying the will would be still further increased. Though Mr. Fraser had offended the deceased, not by any immoral act, but by an independence of mind which was honourable to him, though offensive to his uncle, the deceased became reconciled to him, and received his visits. His conduct to the Messrs. Mortimer it was impossible to reconcile with a belief that his Indian will was then in existence. On this foundation of the affection shown by the deceased to his family, declarations might come in, and were entitled to regard; and the declarations in this part of the case did not depend on precise terms, but were connected with extended conversations, repeatedly expressed, and were also consistent with the *res gestæ*. On the whole view of this important case, the Court pronounced against the will propounded, and that as far as it appeared to the Court, the deceased had died intestate. With respect to the costs, the Court could not on principle direct them to be paid out of the estate. Where an executor propounded a paper under these circumstances, he did it at his own peril, at least at his own risk. There were several facts pleaded which had not been satisfactorily proved, and charges which had not been supported. Great expense had been occasioned, as well as anxiety to the relations. The learned Judge did not see the obligation of Mr. Colvin to bring this will before the Court. If he had made inquiry, he must have been satisfied that the deceased had destroyed the will himself; that was his own impression; and he could not be misled by the law, as to the duplicate not being revoked. Therefore, in the Court's judgment, there was no legal or moral obligation to bring it before the Court. In respect to the parties cited, they were under no obligation to appear; and it would be introducing a precedent, attended with bad consequences, if, when an executor was before the Court, propounding a will, unless there was some reason to suppose collusion, legatees should interfere, and take their costs out of the estate. The Court left the several parties to the consideration of the next of kin; it was not at liberty to indulge its liberality at the expense of the next of kin, unless public justice demanded it. The Court, therefore, made no order as to costs.

#### MISCELLANEOUS.

##### FREE TRADE WITH INDIA.

A meeting of merchants and traders concerned in the commerce with India was held at Liverpool, on the 20th Jan.

agreeably to requisition, to consider of measures for opposing the renewal of the exclusive privileges of the East India Company: the mayor of Liverpool (Mr. R. Robinson) took the chair.

A series of resolutions were agreed to, copies of which will be found in another part of this journal.

Mr. Gladstone moved the first resolution. In his opinion, it was no better than delusion to say that they had obtained a free trade in India. They were denied all intercourse with the interior of that vast continent. They were hampered by licences, the issuing of which depended on the will of the Court of Directors, subject it, was true, to the revision of the Board of Control. No person was permitted to leave the presidencies for the interior without a licence, in which the object of the journey was specifically expressed. Their ships were limited in tonnage, and they were compelled to send vessels of an inconvenient size. These vessels were limited in the number of their seamen, and compelled to restore or to account for every one of them, under heavy fines and penalties, if there happened to be the slightest deviation from these oppressive, these coercive regulations. The outports were, too, denied a fair participation in the import trade from the east, certain articles of import having to be sent to London for sale. That they had carried it on both with success and profit, was a striking instance of the energy and the enterprise of British merchants; and the extent to which the private trade to India was now carried, might serve to show the extent to which it might still be carried, were the intercourse with the east unrestricted and free. Mr. Gladstone then proceeded to enumerate and reply to the reasons which the advocates of the East India Company assign for the trade to China being restricted to the Company. He maintained, that the establishment of a British Consul-General at the port of Canton, representing the King, and not an "honourable company," would answer much better than the present factory. He next pointed out the great advantages which would attend an unrestricted intercourse with China, both direct and indirect, and the employment which it would give to British capital, to British industry, and to British ships. He also pointed out the benefits which the whole country would experience from the opening of the trade to China, in being enabled to drink their tea cheaper than they can possibly drink it at present. The consumption of this grateful beverage would also increase; and the Chancellor of the Exchequer would then be enabled to repeal some of the taxes by which the people were now oppressed.

Mr.

Mr. *James Cropper*, in moving the second resolution, enlarged upon the same topic, and read a recent proclamation by the Company, prohibiting of traffic in the interior, and quoted another, which was to the effect that persons having lived in India by the Company's licence, must have a certificate of behaviour from the Company's agents on returning to England, without which they could not have their licence renewed. From these enactments it would appear that the Company were drawing the cords tighter, and making their monopoly more objectionable even than before. He attributed the inferiority of cotton, grown in India, to the want of British settlers there; and it was the same with respect to other articles of commerce.

Mr. *Ewart* moved the next resolution. He contrasted the increase of the trade to India with the gloomy predictions of the Court of Directors in 1813.

Mr. *Wallace Currie* said, that American vessels frequently loaded at Liverpool for China and enjoyed a lucrative trade, from which it was vexatious and unjust that British merchants should be interdicted.

Mr. *Alston* moved the fourth resolution, which, he said, contained a practical illustration of what may be done in India by European intercourse or residence. As the Company did not consider the article of indigo so important as to prohibit Europeans from carrying on its culture and manufacture, and which they have now done by sufferance for upwards of forty years, last year's produce exceeded in value 2,000,000*l.* sterling, and the quantity is such as to supply nearly the whole consumption of Europe, Africa, and America. Before Europeans undertook its manufacture, East India indigo was quite unsaleable in any foreign country. The introduction of the culture and manufacture of indigo is universally allowed to be the precursor of good order, wealth, and comfort in Hindostan. The advocates of restriction cannot deny this beneficial result; and even the Directors of the Company acknowledge, that the cultivation of indigo has doubled the value of the soil in one or two instances, while, at the same time, they seem to dread, and to throw every obstacle in the way of internal intercourse and colonization generally. He was sorry to say, that in an article of still greater moment to our manufactures, the blind policy of the Company, and the bigotted ignorance of the natives, have prevented the benefits arising from the possession of so great an extent of territory to which we are entitled, and made us dependent upon foreign countries for our supply. At this moment it is well known, that nearly three-fourths of the consumption of this kingdom, in cotton wool, is imported from the United States of America, while more than one-third part of the

quantity used is brought from our own colonies in the East Indies.

Mr. *David Hodgson* expatiated upon the disadvantages of the English trade with China, in comparison with that of the Americans; and supported his assertions by some extracts from the "Report of the Liverpool Association."

Mr. *Robert Benson* read a document which had been forwarded to the Chancellor of the Exchequer by some merchants in Liverpool, requesting a licence to import tea from the continent of Europe, and the answer which referred them to a clause in the late act of parliament, called the "Customs' Consolidation Act," which enacted, that "tea could not be imported into this country except from the place where grown, and then to be imported by the East India Company, and to be brought into the London Docks."

A subscription was suggested by one of the speakers.

A vote of thanks was passed to the mayor.

#### SECRETARY TO THE COURT OF DIRECTORS.

A Court of Directors was held on the 11th of February, at the East India House, at which Joseph Dart, Esq., after a service of forty years, was permitted to retire from the office of Secretary, on account of ill health, on which occasion the Court were pleased to pass a resolution expressive of their sense of the integrity, zeal, and ability with which he had served the Company, and of the esteem entertained for him by the Court. Peter Auber, Esq. was unanimously appointed Secretary, and William Carter, Esq. Assistant-Secretary, and were respectively sworn into those offices.

#### NEW COMMANDER IN CHIEF OF INDIA.

A Court of Directors was held at the East India House, on the 25th Feb., when Lieut. Gen. the Earl of Dalhousie, G.C.B., was appointed Commander-in-Chief of the Company's forces in India.

#### THE SILK TRADE.

At the sale of silk, at the East India House, on the 24th of Feb., the country buyers, after an ineffectual attempt to induce the presiding Director to stop the sale till the decision of government, in respect to the importation of foreign silks, could be known, quitted the sale room, and the sale consequently was adjourned. A deputation afterwards proceeded to the Board of Trade, and had an interview with Mr. Vezey Fitzgerald, the president, who, after reproaching the conduct of the parties in leaving the sale room, declared explicitly that it was not the intention of government to return to the principle of prohibition, or to increase the protecting duties. The sale was resumed on the 26th., in the usual manner.

## NRW BISHOP OF CALCUTTA.

The Rev. John Matthias Turner, M. A. of Christ Church, Prebendary of Lincoln, Rector of Winslow, Lancashire, and Examining Chaplain of the Bishop of Chester, has been nominated to the See of Calcutta, vacant by the death of the Rev. Dr. James.

## APPOINTMENTS AT BOMBAY.

Mr. Dewar, the present Advocate-general at Bombay has been appointed Chief Justice, in the room of the late Sir Edward West; and Mr. Seymour, of the Chancery bar, a Puisne Judge, in the place of Sir Charles H. Chambers.

## APPOINTMENTS AT CEYLON.

William Norris, Esq., barrister, has been named principal; and Jackson Perring, Esq., barrister, deputy, Advocate Fiscal at Ceylon.

## PRESENT DISTRIBUTION OF HIS MAJESTY'S FORCES SERVING IN THE EAST.

Regiments.	Colonels	Where serving.
4th Lt. Dr. Francis Hugonin	....	Bombay.
11th do. . . . .	Lord W. C. Bentinck	Bengal.
13th do. . . . .	Hon. H. D. Grey	Madras.
16th Lances.	Earl Harcourt	Bengal.
1st Foot	Duke of Gordon	Madras.
(2d bat.)		
2d do. . . . .		
3d do. . . . .	Sir W. Keppel	Bombay.
6th do. . . . .	Sir H. Clinton	Bengal.
13th do. . . . .	Sir G. Nugent, bt.	Bombay.
14th do. . . . .	E. Morrison	Bengal.
16th do. . . . .	Lord Lynedoch	Bengal.
20th do. . . . .	Visc. Beresford	Bengal.
26th do. . . . .	Sir W. Houston	Bombay.
29th do. . . . .	Earl of Dalhousie	Madras.
30th do. . . . .	Sir J. Byng	Mauritius.
30th do. . . . .	Jas. Montgomerie	On pass. home.
31st do. . . . .	Earl of Mulgrave	Bengal.
38th do. . . . .	Earl Ludlow	Bengal.
39th do. . . . .	Sir G. Airey	N. S. Wales.
40th do. . . . .	Sir B. Spencer	N. S. Wales.
41st do. . . . .	Hon. Sir E. Stopford	Madras.
44th do. . . . .	Gore Browne	Bengal.
45th do. . . . .	Earl of Cavan	Madras.
46th do. . . . .	H. Wynyard	Madras.
47th do. . . . .	Hon. Sir A. Hope	On pass. home.
48th do. . . . .	Lord C. Fitzroy	Madras.
49th do. . . . .	Sir M. Nightingall	Bengal.
54th do. . . . .	J. Gascoyne	Madras.
55th do. . . . .	Sir W. H. Clinton	Cape.
57th do. . . . .	Sir H. Dalrymple, bt.	N. S. Wales.
58th do. . . . .	K. Mackenzie	Ceylon.
59th do. . . . .	Sir F. P. Robinson	On pass. home.
61st do. . . . .	Sir G. Hewitt, bt.	Ceylon.
72d do. . . . .	Sir John Hope	Cape.
78th do. . . . .	Sir E. Barnes	Ceylon.
82d do. . . . .	H. Pigot	Mauritius.
83d do. . . . .	J. Hodgson	On pass. home.
89th do. . . . .	Sir R. Macfarlane	Madras.
97th do. . . . .	Sir J. Lyon	Ceylon.
98th do. . . . .	H. Conran	Cape.
99th do. . . . .	G. J. Hall	Mauritius.
Ceyl. Rifle.	E. Maitland	Ceylon.
Cape Cav.	W. Cox (Major)	Cape.
Vet. Comp.	H. Dumersq, (Capt.)	N. S. Wales.

## INDIA SHIPPING.

## Arrivals.

Jan. 30. *Jane Haddow*, Hamilton, from Bengal 11th Sept.; at Liverpool.—Feb. 5. *William Parker*, Ellis, from Cape of Good Hope 3d Nov.; at Greenhead.—6. *Eagle*, Batty, from ditto 11th Nov.; at Liverpool.—5. *Asia*, Agar, from Bengal

18th Aug., and Madras 26th Sept.; off Dover.—5. *Hooghley*, Reeves, from Mauritius 1st Nov.; at Cowes.—8. *Thorne*, Johnstone, from Bombay 9th Sept.; off Dover.—8. *Loviat*, Smith, from Batavia 11th Oct.; at Cowes.—9. *Edward Colton*, Hamlin, from Mauritius 1st Nov.; at Deal.—10. *Alcyone*, Muir, from Bombay 26th Sept.; at Liverpool.—19. *Caroline*, Fewson, from Batavia; off Dover.—19. *Ellen*, Patterson, from Mauritius 28th Oct.; at Cowes.—19. *Lady Holland*, Snell, from Bengal 26th Aug., Madras 25th Sept., and Cape 2d Dec.; at Cowes.—20. *Pomona*, Highat, from Bombay 27th Oct.; at Liverpool.

## Departures.

Jan. 25. *William Stoveld*, Davidson, for V. D. Land and N. S. Wales; from Leith.—29. *Lady Hannah Ellice*, Liddell, for Bengal; from Deal.—29. *Christina*, Hall, for Madras, Penang, and Singapore; from Deal.—29. *Albion*, Mott, for N. S. Wales; from Deal.—29. *Milo*, Stark, for Cape of Good Hope; from Deal.—30. *Royal Admiral*, Wilson, for Madras and Bengal; from Deal.—30. *Eliza*, Nicholas, for Cork and N. S. Wales; from Deal.—31. *Carter*, Jones, for Bombay; from Liverpool.—Feb. 1. *Calcutta*, Watson, for Bengal; from Liverpool.—3. *Sarah and Caroline*, Prince, for Bengal; from Liverpool.—5. *Albion*, Collins, for Batavia, Singapore, and Manilla; from Deal.—5. *Argo*, Billing, for Bengal; from Deal.—5. *Prince Regent*, Mallard, for V. D. Land and N. S. Wales; from Deal.—5. *Parmelia*, Luscombe, for new settlement at Swan River, Australia (with Capt. Stirling, licut. governor); from Portsmouth. 5. *George and William*, Nicholson, for Cape of Good Hope; from Deal.—8. H. C. S. *Duke of York*, Locke, from Bengal and China; from Deal.—9. H. C. S. *Hythe*, Shepherd, for Bengal and China; from Deal.—8. *Columbine*, Brown, for Cape of Good Hope; from Deal.—8. *Southworth* (transport), Spratley, for Swan River, Australia; from Portsmouth.—8. *Catherine*, Kincald, for Bengal; from Greenock.—17. *Milo*, Severs, for China, Batavia, and Manilla; from Deal.—17. *Cornwallis*, Henderson, for St. Helena and Cape of Good Hope; from Deal.—17. *Valleyfield*, Johnson, for Madeira and Bombay; from Deal.—18. *Duckenfield*, Riddell, for St. Helena (with coals); from Deal.—19. *Elizabeth*, Currie, for Mauritius; from Liverpool.—21. *Admiral Cockburn*, Kemp, for N. S. Wales; from Deal.—23. *Elphinstone*, Richardson, for Mauritius and Ceylon; from Deal.

## PASSENGERS FROM INDIA.

*Per Ellen*, from Bombay: Mr. M. W. Stewart, H.M.'s 6th Foot, assist. surg.; Capt. Meldrum; Lieut. French, artillery; Mrs. French; Lieut. Fitzroy.

*Per Duke of Bedford* (recently arrived), from Bombay and Ceylon: Col. Boles, Madras estab.; Mrs. Boles; Miss Boles; Master Boles; Capt. Newport and Capt. Illingworth, from Bombay; Maj. Rigby, from ditto; Lieut. Hill, H.M.'s 6th Foot; Dr. Schinmann, from Bombay; Rev. B. Ward, missionary, from Ceylon; Mrs. Ward and four children; Rev. R. Mair, missionary; Mrs. Mair and six children; Ens. Ramsay, from Bombay; Mrs. G. Grooves, from ditto; 94 invalids; 2 women and 3 children.—(The following were left at the Cape: Capt. Wallace, from Bombay; Miss O'Flaherty, from Madras; two Masters Wallace; Mr. T. Stephenson and Mrs. Stephenson.)—Maj. Noble, from Madras, died at sea.

*Per Mary*, from Bengal: Mr. Bell; Mr. Nagle; Mr. Peake; 2 Masters Fraser.

*Per Jane Haddow*, from Bengal: Mr. Whittle.

*Per Asia*, from Bengal: Capt. Creighton; H.M.'s 11th Cavalry; Mrs. Creighton; Miss Creighton and Master Creighton; Capt. Dunlop, 23d Bengal N.I.; Lieut. Peers, 37th do.—From Madras: Ens. Glasscock, Madras army; two Misses and two Masters Lewis, children of Mr. Lewis, barrister.

*Per Hooghley*, from the Mauritius: Mr. Thompson; Capt. Leary, late of the *Woodlark*; Ens. Tremlett, Madras infantry; Mr. Bloomaton, for Holland.

*Per Lady Holland*, from Bengal, &c.: Mrs. James and child; Mrs. Beaumont; Mrs. Brown; Mrs. Mac Masters; Mrs. Ryan; Capt. Wallace and child; Capt. Haaker; Capt. Mac Masters; Lieuts.

Lieuts. Taylor, Kerr, Patrickson, Holloway, Rawton, Gordon, Kerr, and Turnout; Lieut. Donne, R.N.; Masters Beaumont, James, Nixon, Casalis, Dangerfield, O'Flaherty, and MacMaster; Misses O'Flaherty, Dangerfield, 2 MacMaster, and Ryan.

Per an *American Vessel*, from New York: Mr. Carrill and Mr. Woodward, Hon. Company's service.

#### PASSENGERS TO INDIA.

Per *H. C. S. Bridgewater*, (sailed 11th Jan.) for Bengal: Capt. T. Webster, H.C.'s service, returning; Mr. T. Fox, free merchant, returning; Mrs. F. L. Bailey, returning; Miss Ann Bailey, ditto; Mrs. C. Hunt, wife of Lieut. Hunt; Mr. W. Bruce and Mr. M. Mackenzie, to reside; Messrs. E. E. Woodcock and Arch. Seonoe, writers; Messrs. G. H. Harvey, Jas. Oatley, W. F. Hammerling, R. M. Mockler, F. S. Manningford, and Wm. Jennings, cadets; Messrs. K. Macleod and R. Jenkins, free mariners; Mr. J. B. Thornhill, returning to China; Mrs. Thornhill, wife of ditto; Lieut. Tabor, H.M.'s 49th Foot; Lieut. Scott, Lieut. Hunt, and Ensign Speedy, H.M.'s 3d Foot; five privates H.M.'s service; 100 privates for H.C.'s artillery and infantry; six soldiers' wives; one child; several lascars.

Per *H. C. S. Inglis* (sailed 29th Jan.) for Bengal: Lieut. H. Stone H.C.'s service, returning; Messrs. S. Toulman and J. Waterfield, cadets; Mr. A. A. M'Annally, assist. surg.; Mr. R. Brown, free mariner; Mr. H. Stewart, to reside; seventy-five H.C.'s recruits; five wives of ditto.

Per *H. C. S. Farquharson*, (sailed 29th Jan.) for Bengal: Mrs. Tronson, wife of Capt. Tronson, Miss Ann Tronson, niece of ditto; Mrs. Ganby, wife of Vet. Surg. Ganby, Rev. Mr. Bell, chaplain; Mr. Shakespeare, writer; Messrs. Mackenzie, Anson, and Pott, cadets; Mr. M. Mackenzie, assist. surg.; Mr. R. Urquhart, free mariner; Cornets Gavin and Wardroper, H.M.'s 16th Lancers; Cornet Warrington, Assist. Surg. Harcourt, and Veterinary Surg. Ganby, H.M.'s 11th L. Drags; Capt. Tronson, H.M.'s 13th Foot, 125 soldiers; H.M.'s 16th Lancers and 11th L. Drags; seven soldiers' wives; four children of ditto.

Per *H. C. S. General Kyd* (sailed 29th Jan.), for Bombay: Capt. W. H. Waterfield; Mrs. Waterfield, wife of ditto; Miss S. Wood; Mr. E. W. Agar, cadet; Mr. D. Stewart, assist. surg., returning to duty; Mr. J. Hyslop, free mariner; three females, charter-party passengers; Mr. C. Pritchard and Mr. R. Torbett, proceeding to St. Helena.

Per *H. C. S. Duke of York*, (sailed 8th Feb.) for Bengal: Capt. G. Hutchinson, Engineers, returning to duty; Lieut. J. Cullen, Artillery, ditto; Mrs. Cullen; Mr. R. Eglinton, free merchant, returning; Mrs. Eglinton; Miss L. S. Watson, returning; Messrs. C. Gubbins, W. P. Goad, and E. H. Moreland, writers; Messrs. W. K. Elmslie, L. S. Richardson, J. Liptrott, E. K. Elliott, C. E. Goad, A. S. Waugh, and P. Bridgeman, cadets; Mr. Jas. Blackwood, assist. surg.; Mr. J. C. Whiteman, free merchant; Mr. J. Ferguson, ditto; Mr. E. Nicholson, free mariner; Mr. S. Abel, in charge of machinery; several servants; Lieut. Greaves and one private H.M.'s 14th Foot; Ensigns Close, Seymonds, Edwards, and M'Donald, H.M.'s 38th Foot; four privates of ditto.

Per *H. C. S. Hythe* (sailed 9th Feb.) for Bengal: Lieut. C. Cheape, returning; Mr. J. Lumsden, ditto; Miss M. S. Douglas; Mr. J. Taylor; Mr. A. Watt, free merchant, for Singapore, via Bengal; Mrs. Watt, wife of ditto; Messrs. W. Hunter, C. W. Kinlock, J. R. Carruthers, and M. Smith, writers; Messrs. I. McMahon, B. W. Goldie, J. Gordon, George Skene, Thos. Hunter, R. Maule, V. Eyre, F. Beaulerke, and C. H. Jenkins, cadets; Rev. Dr. Marshall, missionary, for Serampore; Mr. J. R. Marshall; Miss H. Williams, Mr. H. Williams, Miss H. Mack, and Mr. T. H. N. Fell, proceeding with Dr. Marshall; Capt. Carter, Ensign Bruce, and Ensign Cassidy, H.M.'s 16th Foot; Lieut. Jenkins, H.M.'s 14th Foot; Ensign Dickinson and Ensign Lugard, H.M.'s 31st Foot; Capt. Smith, H.M.'s 3d Foot; six privates H.M.'s service acting as servants to officers; six lascars; several native servants.

Per *H. C. S. Atlas*, for Bombay: Mrs. Valliant, lady of Lieut. Col. Valliant; two Misses Valliant;

Miss E. M. Lucas; Miss G. Larkins; Mrs. Morgan; Mrs. Shawe; Mrs. Leighton; Miss Bennett; Miss M. Brassy; Miss M. A. Vivian; Miss M. Hunt; two Misses Bolton; Col. Valliant, Ensign Valliant, and Assist. Surg. Bell, H.M.'s service; Capt. Leighton, and Capt. Hammond, H.C.'s service; Mr. Morgan, barrister; Messrs. Spens and Robertson, writers; Mr. Ashburne, free merchant; Messrs. Arding, Arnot, and Brickwell, assist. surgeons; Messrs. R. H. Young, R. T. Hogg, H. B. Watkins, T. S. Kennedy, H. Lavie, D. J. Cannon, G. Cruikshank, C. Hockin, and H. W. Diggle, cadets; Messrs. Green and Draper, volunteers, for Bombay marine; several servants, &c.

#### MISCELLANEOUS NOTICES.

The brig *Pallus*, Falconer, was totally lost off Vizagapatnam on the morning of the 4th Sept.; no lives lost, but the cargo destroyed.

### BIRTHS, MARRIAGES, AND DEATHS.

#### BIRTHS.

Jan. 25. At Brompton, Chatham, the lady of Capt. A. S. H. Aplin, 8th Foot, of a daughter.

Feb. 6. In Montague Street, Portman Square, the lady of Capt. George Probyn, of the H. C. S. *Minerva*, of a son.

11. At Perth, the lady of Lieut. Col. Wm. Farquhar, Hon. E. I. Company's service, of a son.

#### MARRIAGES.

Jan. 29. At Walthamstow, Capt. Alex. Leighton, of the Bombay army, to Rebecca, fourth daughter of the late Wm. Terrington, Esq., of London.

— At Ealing, the Rev. W. Stoddart, M.A., of Northampton, and late of Christ's College, Cambridge, to Fanny, youngest daughter of the late Capt. Woodhouse, 7th regt. Madras Cavalry.

31. At Kensington, Robert Thew, Esq., major in the Bombay artillery, to Jane, eldest daughter of R. Forbes, Esq., of Kensington.

Feb. 12. At Thenford, the Rev. F. Leighton, rector of Cardiston, county of Salop, only son of the late Maj. Gen. Thos. Leighton, of the Hon. E. I. Company's service, to Catherine, second daughter of S. A. Severne, Esq., of Wallop Hall, county of Salop, and of Thenford, Northamptonshire.

19. At Edinburgh, Capt. John Paterson, late of the Hon. E. I. Company's service, Bengal, to Ann, second daughter of W. Howison, Esq., sen., writer in Edinburgh.

At Swallowfield, the Rev. Wm. Ryder, to Alicia, eldest daughter of the late Capt. Jas. Pearson, Hon. E. I. Company's service.

#### DEATHS.

Jan. 2. At Edinburgh, John George, eldest son of Lieut. Col. Cadell, Madras establishment.

22. At Edinburgh, Mrs. Jane Dallas Dewar, wife of Lieut. Col. Bahnsin, Hon. E. I. Company's service.

26. At Kensington, Mrs. Marter, relict of the late Capt. Marter, Hon. E. I. Company's service.

29. At Bath, Lieut. Gen. James Dickson, Hon. E. I. Company's service, aged 84.

Feb. 2. At Hythe, near Southampton, Lieut. Col. H. Deschamps, 2d Bombay N.I.

7. At Harefield, Lieut. Gen. H. P. Lawrence, Hon. E. I. Company's service, Bombay establishment, aged 74.

12. At Aberdeen, Wm. Cormack, Esq., deputy commissary of ordnance, Bengal establishment, aged 69.

18. In Devonshire Street, Portland Place, John Robert, eldest son of the late Lieut. Col. J. L. Stuart, Bengal estab., aged 11 years.

19. At Bath, D. H. Dallas, Esq., only son of Lieut. Gen. Sir Thomas Dallas, K.C.B., &c., in his 20th year.

Latest. At Grenada, West Indies, R. L. Bent, Esq., son of the late Ellis Bent, Esq., judge advocate of New South Wales.

# GOODS DECLARED FOR SALE AT THE EAST-INDIA HOUSE.

For Sale 2 March—Prompt 29 May.

Tea.—Bohea, 1,100,000 lb.; Congou, Campol, and Pouchong, 5,400,000 lb.; Twankay and Hyson-Skin, 7,225,000 lb.; Hyson, 275,000 lb.—Total, including Private-Trade, 8,000,000 lb.

For Sale 10 March—Prompt 5 June.

Company's.—Bungal and Coast Piece Goods.  
Private-Trade.—Nankeens—Blue Sallampores—Bandannocs—Madras Handkerchiefs—Corahs—Shawls—Crape Shawls—Silk Piece Goods—Wrought Silks—Satins—Damasks.

For Sale 14 April—Prompt 10 July.

Company's.—Indigo.

## LIST OF SHIPS trading to INDIA and Eastward of the CAPE of GOOD HOPE.

Destination.	Appointed to sail.	Ship's Name.	Arrival.	Owners or Consignees.	Captains.	Where loading.	Reference for Freight or Passage.
Cape and Madras	Graves, March 10	Admiral Benbow	577	Charles Beach	Charles Beach	W. I. Docks	John Lyney, jun., Birchlin-lane.
	13	Brunswick	373	Watson and Co.	John Crawford	W. I. Docks	Arnold and Woollet, & W. Redhead, jun.
	14	David Scott	430	Edw. Gibson	A. W. R. Parkers	City Canal	J. Croves, and E. Read.
Madras & Bengal	April 21	Sir Edward Paget	773	Mungo Glenore	Jas. Jackson	E. I. Docks	Hunter and Co., and Joseph Horsley.
	1	Enigma	482	Green and Co.	John Campbell	E. I. Docks	J. Prie & Co., Freeman's-c., Cornhill.
	1	Kington	588	Joseph Douglas	Joseph Douglas	E. I. Docks	Capt. Douglas, Jerusalem Coffee-co.
Graves, Ports.	May 13	Cambridge	304	Wm. A. Bowen	W. A. Bowen	E. I. Docks	John S. Brinley, Birchlin-lane.
	15	Neptune	912	Palmer, M'Killop, & Co.	James Barber	E. I. Docks	Barber, Neate, & Co.
	15	Neptune	612	John Cumberlege	J. A. Cumberlege	E. I. Docks	John Lyney, jun.
Bengal	March 1	Lafayette	408	Joseph Somes	John Wimble	W. I. Docks	Joseph Lachlan, Alle-street.
	3	Austen	390	James Drew	Thomas Scriffen	W. I. Docks	Walter Buchanan, Leadenhall-street.
	1	Eliza	300	Ladd and Rickett	Wm. H. Ladd	E. I. Docks	J. Muspratt, jun., New Broad-street
Bombay	June 1	Orion	682	Palmer, M'Killop, & Co.	David Sutton	E. I. Docks	Harber, Neate, & Co., Clement's-lane.
	1	Auradale	587	White and Cooke	Thos. White	E. I. Docks	W. Abercrombie & Co.
	2	Eleonor	350	Senhouse Nelson	Wm. Ferguson	St. K. Docks E. and A. Rule, and Lyall and Greig.	
Mauritius	March 1	Eleonor	292	W. H. Edmunds	W. H. Edmunds	City Canal	Joseph L. Heathorn, Birchlin-lane.
	1	Eleonor	563	Alexander Greig	John L. Studd	W. I. Docks	Lyall and Greig, Billiter-square.
	1	Eleonor	437	Alex. Morrison and Co.	A. Dow Riddock	W. I. Docks E. and A. Rule, Lime-street.	
Singapore	April 5	Symmetry	385	John Barry	Wm. Harlock	W. I. Docks	John Lyney, jun.
	1	Eleonor	381	William Tindell	Samuel Smith	W. I. Docks	John Lyney, jun.
	1	Eleonor	923	Robert King	R. W. Wispair	W. I. Docks	W. D. Dawson & W. Buchanan.
N. S. Wales	March 30	Carnarvon	350	Huddart and Co.	R. W. Stouchouse	St. K. Docks	Cookes and Long.
	1	Percy	150	Henry Dod and Son	Henry Willett	E. I. Docks	Henry Dod and Son, Mark-lane.
	1	Percy	320	Richard Mount	Josiah Middleton	Lon. Docks	J. Marshall, Birchlin-lane.
Swan River, West Coast of Australia	March 1	Eleonor	211	W. Buchanan	James Walsley	Lon. Docks	Walter Buchanan.
	1	Eleonor	325	George Barrick	William Steward	Lon. Docks	Buckles and Co., Mark-lane.
	1	Eleonor	380	I. Holliday	William Thomas	Lon. Docks	Wm. Martin, E. J. Chambers.
F. D. Land	March 1	Eleonor	390	Gale and Son	Robert Jeffery	St. K. Docks	Henry Dod and Son.
	1	Eleonor	273	John Lumsden	John MacLeod	Lon. Docks	George Bishop, Jeffery-street.
	1	Eleonor	131	Capit and Co.	Joseph White	St. K. Docks	Walter Buchanan.
F. D. Land & N. S. Wales	March 1	Eleonor	181	James Smith	Jas. Smith, jun.	Lon. Docks	John Binner, Church-row.
	1	Eleonor	270	Thos. MacDonnell	T. MacDonnell	E. I. Docks	H. Dod and Son, and W. Martin.
	1	Eleonor	430	Silas Pearce	Geo. Hathaway	St. K. Docks	Buckles and Co.
Graves, Ports.	March 1	Eleonor	300	John Wilson	John Wilson	Lon. Docks	Edw. and Arthur Rule.
	1	Eleonor	382	J. and D. Asquith	Miller Worsley	Lon. Docks	Wm. Robertson, Crutched-Friars.
	1	Eleonor	382	J. and D. Asquith	Miller Worsley	Lon. Docks	Crutched-Friars.

20th Feb. 1830.

# EAST-INDIA COMPANY'S SHIPS, of the Season 1828-9, with their Managing Owners, Commanders, &c.

Ships.	Tons.	Managing Owners.	Commanders.	First Officers.	Second Officers.	Third Officers.	Fourth Officers.	Surgeons.	Purveyors.	Consignments.	To be Afloat.	To be Discharged.	When Sailed.
7 Buckinghamshire.	1367	Company's Ship	R. Glasspoole	J. Hilman	Thos. Alchin	Wm. Cayley	C. W. White	A. Johnstone	R. G. Lane	Bombay & China	1828.	1829.	1829.
8 Hergfordshire.	1279	John Locke	Wm. Hope	E. Ford	R. Card	J. R. Lancaster	J. D. Hosman	J. Thomson	E. Crowfoot	Bombay & China	21 Nov	7 Dec.	9 Jan.
9 Bridgewater.	1276	John Sims	J. R. Manderson	W. H. Walker	C. S. Bawtree	Wm. Toller	F. Sims	G. Graham	J. Cragg	Bombay & China	8 Dec.	21 Dec.	20 do.
8 Lady Maitland.	1263	O. Wigram	R. Clifford	R. Clifford	Wm. Lewis	T. Littlejohn	H. Walford	T. Foulerton	W. Clifton	Bombay & China	8 Dec.	21 Dec.	20 do.
8 General Kyd.	1286	R. Small	Samuel Serle	R. Applin	A. H. Crawford	John Donnet	John B. Down	F. P. Alley	B. B. Lord	St. Helena, Bombay, & China	8 Dec.	21 Dec.	20 do.
5 Forthwester.	1236	J. C. Lochner	J. Cruickshank	R. Jobling	G. Lloyd	J. G. Murray	T. Rennie	J. Blennerhasset	F. A. Halpin	Bombay & China	8 Feb.	1829.	8 Feb.
7 Duke of York.	1327	S. Marjoribanks	R. Locke	G. Ireland	W. B. Coles	Jas. Mowat	John Garner	R. Middlemass	W. E. Browne	Bombay & China	22 do.	5 Jan.	9 do.
2 Duke of Sussex.	1333	S. Marjoribanks	G. C. Abthorpe	H. B. Avarne	H. H. Isaacson	C. K. Johnstone	Wm. T. Dry	R. Alexander	D. Grassick	Bombay & China	1829.	10 Feb.	
9 Atlas.	1267	C. O. Mayne	John Hine	H. Bristol	Basil W. Mure	C. MacRae	T. Oslow	John Sim	C. D. Morsen	Bombay & China	1829.	5 Jan.	19 do.
6 Keltie Castle.	1332	Geo. Reed	E. L. Adams	R. Patullo	Francis West	W. S. Stockley	J. Hamilton	John Cullen	J. White	St. Helena, Straits, of Malacca, & China	19 Jan	3 Feb.	12 Mar
8 Thames.	1330	H. Blanchard	J. K. Forbes	Chas. Penny	Wm. Clark	John M. Pavell	Wm. Rudd	A. J. Will	F. P. Cockrell	Madras & China	5 Mar.	30 Mar	25 Apr.
6 Windsor.	1335	Geo. Clay	T. Haviside	W. MacNair	Mark Clayton	R. E. Warner	Benj. J. Elder	Joseph Docker	F. Jenkins	China	10 do.	19 do.	
7 Repulse.	1334	John F. Timms	H. Gribble	A. C. Watling	F. Hedges	G. S. Hirst	H. Baker	Wm. Scott	N. G. Glass	China	10 do.	19 do.	
7 Waterloo.	1325	Company's Ship	D. R. Newall	W. R. Blakely	H. Edmonds	A. C. Barclay	T. Packman	C. Evans	J. Halliday	China	10 do.	19 do.	
18 Vanityfair.	1278	Joseph Hare	J. B. Burnett	Peter Pilcher	W. Taylor	J. Tate	Thompson W. Hayland	John Benfold	A. E. Date	China	10 do.	19 do.	
10 Sashly Castle.	1242	Company's Ship	G. K. Bathie	J. Gisborne	Thos. Addison	J. Hayward	D. Thompson	John Lester	Thos. Storey	China	10 do.	19 do.	
10 Louther Castle.	1247	Matthew Isacke	R. B. Everist	J. Coates	C. A. Esquimaux	C. H. Leaver	A. Burnell	John Peterson	F. Palmer	China	10 do.	19 do.	
21 Charles Grant.	1274	Wm. Moffat	Chas. Shea	R. Robson	J. Crozier	A. Urnston	R. Mackenzie	Adam Elliot	J. Adams	China	10 do.	19 do.	
8 Thomas Grenville.	886	Company's Ship	G. Probyn	Jas. Drayner	C. Ingram	A. Tudor	B. Littlechales	Wm. Chanter	J. E. Markland	Madras & Bengal	20 do.	3 Apr.	7 May
8 Minerva.	976	Geo. Palmer	C. Bidden	C. W. Francken	David Home	C. B. Gribble	C. J. Delvalle	R. McClintock	W. H. Hunt	Bombay & Bengal	18 Apr.	2 May	3 June
9 Princess Charlotte of Wales.	978	C. B. Gribble	A. Chapman	R. B. Shittler	J. S. Sparks	W. Lidderdale	Rich. Binks			Bombay & Bengal	18 Apr.	2 May	3 June
9 Marquis of Wellington.	961	H. Bonham								Bombay & Bengal	18 Apr.	2 May	3 June

# PRICE CURRENT, February 24.

## EAST-INDIA PRODUCE.

	£. s. d.	£. s. d.
Coffee, Java.....cwt.	1 17 0	2 2 0
Cheribon.....	1 17 0	2 5 0
Sumatra.....	1 18 0	1 19 0
Bourbon.....		
Mocha.....	3 8 0	5 18 0
Cottons Sumat.....	0 0 4	0 0 5
Madras.....	0 0 4	0 0 5
Bengal.....	0 0 4	0 0 5
Bourbon.....	0 0 6	0 0 9
Drugs & for Dyeing.		
Aloes, Epatica.....cwt.	10 0 0	14 0 0
Aniseeds, Star.....	5 5 0	
Borax, Refined.....	3 0 0	
Unrefined, or Tincal.....	3 5 0	3 10 0
Gamboge.....	7 0 0	7 15 0
Cardamoms, Malabar.....lb.	0 10 0	0 10 6
Ceylon.....	0 1 6	0 1 7
Cassia Buds.....cwt.	5 5 0	6 0 0
Lignea.....	4 4 0	4 15 0
Castor Oil.....lb.	0 1 0	0 2 0
Dragon's Blood.....cwt.	3 0 0	16 0 0
Gum Ammoniac, lump.....	2 10 0	5 0 0
Arabic.....	1 5 0	3 10 0
Assafetida.....	1 0 0	4 0 0
Benjamin.....	2 0 0	30 0 0
Aufmi.....	3 0 0	9 0 0
Gambogium.....	20 0 0	27 0 0
Myrrh.....	4 0 0	16 0 0
Olibanum.....	2 0 0	5 10 0
Kino.....	9 0 0	12 0 0
Lac Lake.....lb.	0 1 0	0 2 0
Dye.....	0 3 6	0 3 8
Shell.....cwt.	3 18 0	5 5 0
Stick.....	3 0 0	4 0 0
Musk, China.....oz.		
Oil, Cassia.....	0 0 4	
Cinnamon.....lb.	0 17 0	0 0 8
Cloves.....	0 0 6	0 0 8
Mace.....	0 0 2	
Nutmegs.....	0 2 9	0 3 2
Opium.....		
Rhubarb.....	0 1 0	0 5 0
Sai Ammoniac.....cwt.	3 10 0	
Senna.....lb.	0 0 9	0 2 0
Turmeric, Java.....cwt.	1 6 0	1 9 0
Bengal.....	1 0 0	1 5 0
China.....	1 15 0	1 16 0
Galls, In Sorts.....	3 0 0	4 0 0
Blue.....	3 13 0	4 0 0

	£. s. d.	£. s. d.
Indigo, Blue.....lb.		
Blue and Violet.....	0 9 9	0 10 3
Purple and Violet.....	0 9 0	0 9 6
Violet.....	0 7 6	0 8 9
Violet and Copper.....	0 7 0	0 8 0
Copper.....	0 5 0	0 7 3
Consuming sorta.....	0 4 9	0 7 0
Quide good and fine.....	0 3 6	0 4 6
Do. ord. and bad.....		
Low and bad Oude.....		
Madras extra fine.....	0 7 6	0 7 9
Do. ord. to fine.....	0 3 6	0 6 0
Rice, Bengal White.....cwt.	0 13 0	0 16 0
Patna.....	0 17 0	1 1 0
Safflower.....	1 10 0	9 0 0
Sago.....	0 14 0	1 10 0
Saltpetre.....	1 4 6	1 11 0
Silk, Bengalee.....lb.		
Novi.....		
Ditto White.....		
China.....		
Spices, Cinnamon.....	4 6	0 7 8
Cloves.....	1 1	0 2 3
Mace.....	0 4	0 5 2
Nutmegs.....	0 3 0	0 3 4
Ginger.....cwt.	0 16 0	0 17 4
Pepper, Black.....lb.	0 0 3	0 4 7
White.....		
Sugar, Bengal.....cwt.	1 10 0	2 0 0
Siam and China.....	1 7 0	2 0 0
Mauritius.....	1 1 0	1 18 0
Tea, Bohea.....lb.	0 1 6	0 2 1
Congou.....	0 2 2	0 3 0
Souchong.....	0 3 3	0 4 3
Campoi.....	0 2 4	0 3 7
Twankey.....	0 2 3	0 3 3
Pekoe.....		
Hyson Skin.....	0 2 2	0 3 9
Hyson.....	0 3 8	0 5 11
Young Hyson.....		
Gunpowder.....		
Tortoiseshell.....	1 12 0	2 14 0
Wood, Sanders Red.....ton	9 0 0	10 0 0

## AUSTRALIAN PRODUCE.

Oil, Southern.....ton	29 0 0	33 0 0
Sperm.....	78 0 0	
Head Matter.....	80 0 0	
Wool.....lb.	0 1 3	0 5 0
Wood, Blue Gum.....ton	0 4	0 0 6
Cedar.....	0 7	

## DAILY PRICES OF STOCKS, from 26 January to 25 February.

Jan.	Bank Stock.	3 Pr.Ct. Red.	3 Pr.Ct. Consols.	3 Pr.Ct. Consols.	3 Pr.Ct. Red.	N.4Pr.Ct. Ann.	Long Annuities.	India Stock.	India Bonds.	Exch. Bills.
26	211 1/2	87 1/8	86 1/8	96 1/2	96 3/4	101 1/2	20 1/8	—	68p	69p
27	211 1/2	87 1/8	86 1/8	96 1/2	96 3/4	101 1/2	20 1/8	238 1/2	68 69p	68 70p
28	211 1/2	87 1/8	86 1/8	96 1/2	96 3/4	101 1/2	20 1/8	239 1/2	68 69p	68 70p
31	211 1/2	87 1/8	86 1/8	96 1/2	96 3/4	101 1/2	20 1/8	238 1/2	67 68p	67 69p
Feb.										
3	212 1/2	88 1/8	87 1/8	97 1/2	97 3/4	102 1/2	20 1/8	239	66 67p	66 68p
4	212	88 1/8	87 1/8	97 1/2	97 3/4	102 1/2	20 1/8	—	66 67p	67 68p
5	211 1/2	88 1/8	87 1/8	97 1/2	97 3/4	102 1/2	20 1/8	238	66 67p	66 68p
6	212 1/2	88 1/8	87 1/8	97 1/2	97 3/4	101 1/2	20 1/8	236	63 64p	65 68p
7	211 1/2	88 1/8	87 1/8	97 1/2	97 3/4	101 1/2	20 1/8	—	63 64p	64 68p
9	211 1/2	88 1/8	87 1/8	97 1/2	97 3/4	101 1/2	20 1/8	237	63 65p	65 69p
10	212	88 1/8	87 1/8	97 1/2	97 3/4	101 1/2	20 1/8	—	—	65 69p
11	212	88 1/8	87 1/8	97 1/2	97 3/4	101 1/2	20 1/8	236	63 65p	65 69p
12	211 1/2	88 1/8	87 1/8	97 1/2	97 3/4	101 1/2	20 1/8	234 5	61p	63 67p
13	—	87 1/8	86 1/8	96 1/2	96 3/4	101 1/2	20 1/8	—	60 61p	61 64p
14	210 1/2	87 1/8	86 1/8	96 1/2	96 3/4	101 1/2	20 1/8	230 1	57 58p	60 63p
16	210 1/2	87 1/8	86 1/8	96 1/2	96 3/4	101 1/2	20 1/8	—	48 50p	56 60p
17	211	87 1/8	86 1/8	95 9/16	96 3/8	101 1/2	20 1/8	—	40 52p	40 59p
18	210 1/2	87 1/8	86 1/8	96 1/2	96 3/4	101 1/2	20 1/8	230 2	47 50p	47 53p
19	210 1/2	87 1/8	87 1/8	97	96 3/4	101 1/2	20 1/8	—	50 52p	51 54p
20	—	87 1/8	86 1/8	96 1/2	96 3/4	101 1/2	20 1/8	231	50p	52 54p
21	211 1/2	88 1/8	87 1/8	97 1/2	97 3/4	101 1/2	20 1/8	231 2	55p	53 57p
23	—	88 1/8	87 1/8	97	97 1/2	101 1/2	20 1/8	230 1	55 56p	59 63p

E. Erson, Stock Broker, 2, Cornhill, and Lombard Street.

# THE ASIATIC JOURNAL

FOR  
APRIL, 1829.

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## Original Communications,

&c. &c. &c.

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### THE GOVERNMENT AND THE KING'S COURT OF BOMBAY.

THE series of contentions at Bombay during the last four or five years, in which the judges of the Supreme Court of Judicature at that presidency have been one of the parties, has at length been consummated by an open rupture with the local government. Such an event, though deeply to be lamented, was, probably, not altogether unforeseen.

We have before noticed the frequent recurrence of angry contentions in the King's Court at Bombay, as a very remarkable fact, especially when contrasted with the harmony and temper which seem to reign in the courts of the other presidencies, the jurisdictions of which are less limited, and entertain (that of Calcutta especially) questions likely to give rise to occasional conflicts of feelings. It may not, however, be superfluous to take a brief review of these contentions, from their commencement, which is dated immediately after the arrival of the late Sir Edward West, the then Recorder, at the presidency.

Sir Edward West entered upon the office of Recorder in February 1823. In April he delivered his first charge, in which it is evident that he casts some censure upon his predecessors in the office for "the great irregularities and disorders" of the court. In June he took the strong step of dismissing Mr. Erskine, a gentleman of the highest character, from two lucrative offices in the court. The history of this proceeding has been very fully detailed in this journal by an able advocate of Mr. Erskine;\* and those who would not be willing to concur with that writer in considering the proceeding as arbitrary and illegal, cannot but think there was an appearance of harshness and ultra-judicial temper displayed by the Recorder, especially in the motives which were imputed to Mr. Erskine, in his speech of the 18th June 1823.

In August of the same year, the Recorder thought proper to make some regulations which, in the opinion of the bar, interfered with their rights or privileges. Five of the barristers of the court, including the Advocate-general, stated their objections to the regulations in a joint memorial; whereupon the Recorder suspended those gentlemen from their situations for six months.

\* See vol. xxv. pp. 457 and 779; vol. xxvi. p. 45.



a measure to which no court in England would have resorted but in a case of extreme necessity.

In May 1824, the Recorder's Court became a Supreme Court of Judicature, Sir Edward West being nominated chief justice, and the late Sir C. H. Chambers and Sir Ralph Rice puisne justices. Only two months after this event, occurred the singular case of Mr. Shaw, of the civil service, who was proceeded against by the court (there being no other prosecutor) for an alleged assault upon one of its choppers, but which Mr. Shaw denied positively and distinctly upon oath, declaring the allegation to be supported by the grossest perjury. The editor of the *Bombay Gazette* (Mr. Fair) happening to give a report of the proceedings in this case not precisely accurate (although the instances of inaccuracy appear of the most trifling character), he was, at the instance of the judges, called upon for an apology, which he thought derogatory to his character, and was thereupon transmitted to England.

In the year 1825 we were astonished by a charge delivered by Sir E. West to the grand jury of Bombay, in which he condemned, in the most unsparing manner, the police and magisterial system of the island, and stigmatised, by implication, the government, the magistracy, and his own predecessors, with arbitrary and illegal conduct: although, it is singular to remark, some of the instances reflect a charge upon himself.

In 1826, the court refused to register the press regulations. In 1827 occurred the dispute between the court and the grand jury in the affair of Mr. Graham. Here again an unfortunate editor incurred the displeasure of the chief justice, by some very slight misrepresentation of his words; and the judge distinctly threatened the press with summary infliction of fine and imprisonment. It is not to be wondered at that the press of Bombay became henceforward mute, for some time, in respect to the proceedings of the court.

Thus it appears that, since the arrival of the late Sir Edward West at Bombay, the court has been involved in controversy with the Company's civil servants, with its own barristers, with different grand juries, including, in that limited society, probably, most of the respectable class of European residents; and now it has become embroiled with the government.

It would be uncharitable to make any reflections upon the temperament of the late Sir Edward West, with a view of considering how far these bickerings may have proceeded from such a cause. We content ourselves with noticing the remarkable fact that, prior to the recent difference between the head of the government and the court of Bombay, the latter had been engaged in disputes with almost every class of the subordinate functionaries.

The present contention arises from an attempt to extend the jurisdiction of the King's Court beyond the limits to which it has been hitherto confined. The acting chief justice (the late Sir C. H. Chambers) stated that the question in the case was "whether the powers of the Court of King's Bench in England were conferred upon this court so as to enable it to watch over the personal liberties of all the King's subjects in India, without reference to the terms of that part of the charter, by which the jurisdiction of the court was defined and limited to trials of suits and actions against those persons only who are declared distinctly and clearly to be subject to its jurisdiction." This is a question which skilful lawyers must decide. The grounds of the decision are before the public, in the elaborate speeches of the judges.

But what was the government to do in this emergency? Was it to remain passive, and see its supposed rights invaded, and the acts of the Company's courts nullified by what it considered to be an irregular proceeding on the part of the King's

King's judges? If not, it would naturally look for precedents to guide it; and that of 1776, where the Supreme Court of Calcutta usurped a jurisdiction which it did not possess (a case somewhat analogous to the present), must have immediately occurred.

In that celebrated case, the judges of the Supreme Court of Calcutta issued their writs in the provinces beyond the ordinary jurisdiction of the court; interfered with the Courts of Dewannee Adawlut, and offered a kind of immunity to native revenue defaulters, by granting writs of *habeas corpus* when any coercive process was employed by the judges of revenue; the Supreme Court set them at liberty. The remarks of Mr. Mill on their "thirst for jurisdiction," though characteristically severe, are not unreasonable:

It would be difficult, in any age or country, to discover a parallel to the conduct which this set of judges exhibited on the present occasion. Their own powers, as it was impossible for them not distinctly to see, were totally inadequate to the government of the country; yet they proceeded, contrary to the declared, though badly expressed, intention of the legislature, to avail themselves of the hooks and handles which the ensnaring system of law, administered by them, afforded in such abundance, to draw within their pale the whole transactions of the country; not those of individuals only, but those also of the government. Either with a blind ignorance of consequences, which is almost incredible, unless from our experience of the narrowness which the mind contracts by habitual application to the practice of English law, and by habitual indulgence of the fancy that it is the perfection of reason; or with a disregard of those consequences, for which nothing but a love of power too profligate to be stayed by any considerations of human happiness or misery is sufficient to account, the judges proceeded, with the apparent resolution of extending the jurisdiction of their court, and leaving as little as possible of the business of the country exempt from the exercise of their power. To palliate the invasions which they made upon the field of government, they made use of this as an argument; that the great end of their institution was to protect the natives against the injustice and oppression of the Company's servants, and that, without the powers which they assumed, it was impossible for them to render to humanity this eminent service. But to force upon the natives the miseries of English law, and to dissolve the bands of government, was to inflict upon the people far greater evils than those from which they pretended to relieve them. If the end proposed by the legislature was really to protect the natives from the injustice of Englishmen, they made a very unskilful choice of the means.

The supposed dignity of a *King's Court* inflated the pretensions of the judges, who delighted in styling themselves "King's judges," contrasting the source of their own power with the inferior source from which the power of the Governor-general in Council was derived.

If those native courts were susceptible of reform, as most assuredly they were, though considering the state of society and the former experience of the people, there was, at this particular period, some ground for praise as well as for blame, it would have been a fit and noble exercise for the mind of the chief justice and his brethren, to have formed an excellent plan for the administration of justice among the natives, and to have recommended it, with all the weight of their authority, to parliament and the Company.

The motive, in this case, which guided so desperate a line of conduct cannot be mistaken, and ought not with hypocrisy to be disguised. It was not any conception of good; it was not ignorance of evil, for it was too obvious to be misunderstood. It was the appetite for power, and the appetite for profit; the power sufficiently visible and extraordinary; the profit more concealed. Nor can the pleasure of exercising an unbounded sway, through the forms of administering law, be justly regarded as a feeble inducement.\*

We

We must not be understood as imputing to the court of Bombay all or any of these motives. We adduce the passage as the cool remark of an historian upon an analogous occurrence, and with a view of explaining what may possibly have been the feelings of the local government.

The Governor-general (Warren Hastings) in Council, conceiving the pretensions of the judges of the King's Court illegal, did not wait the slow process of an appeal to England, but notified to the parties who were the subjects of this novel exercise of power, that they were not amenable to the Supreme Court; and upon the latter attempting to execute their writs by means of an armed force, the government, equally determined to defend its rights, caused the force to be captured and brought to the presidency.

What was the decision of the legislature of England in this matter? An act was passed which restricted the powers of the court, and indemnified the Governor-general and Council for resisting its orders.

The government of Bombay, in the peculiar situation in which it is placed, with the foregoing precedent in its mind, has taken the course of offering to the judges, in a very temperate and respectful letter, reasons for abstaining from acts which must produce a collision between the two authorities, to the grievous moral injury of the government, until instructions could be received from England.

We pronounce no opinion with regard to the expediency of sending this letter; but in respect to tone and language, it seems to us perfectly free from offence. We have searched in vain for the "dictation," the "menaces," and the "outrage," referred to by Sir C. Chambers; we find nothing which can justify (or, perhaps, excuse) the angry and contemptuous feelings which it seems to have excited in the two learned personages, and the intemperate expressions in which those feelings obtained vent. Even supposing the letter to be all that the judges appear to have considered it, a safer as well as a more dignified mode of reproof might surely have been chosen than that of delivering, in public, a long vituperative speech, expressly declared to be deliberately penned, the inevitable effect of which is to hold up the local government, though exempt from the jurisdiction of the King's court, to the contempt of the natives. It is impossible, in reading the scornful terms which are applied to the "gentlemen" who administer the local government of Bombay by the "King's judges," and the ironical remarks upon their "discretion, magnanimity and decency," not to be forcibly reminded of the expressions which fell from Mr. Justice Le Maistre in his judgment on the return to Seroopchund's *habeas corpus* in 1770, which were so severely censured at the time, and have been so much ridiculed by Mr. Mill.

The ground upon which Mr. Justice Grant issued the writ of *habeas corpus*, in the case of Moro Ragonath, of Poonah, was this, namely, that in his opinion, "the jurisdiction of the court, as Court of King's Bench for Bombay, under the King's letters patent, extends over *all the territories subject to, or dependent on, the government of Bombay*; that its jurisdiction in civil suits and actions has no other limit in *point of territory*, but is limited, in respect of *person* within its territory, *not inhabitants of Bombay*, to persons distinguished by the appellation of *British subjects*, and to persons, at the time when the cause of action arises, *employed by or in the service of the East-India Company or any of the King's subjects*; and that in respect of *Persons, inhabitants of Bombay*, it has no limits."

To an unprofessional person it would appear preposterous to suppose that, as the act of 1781 (and those of 1800 and 1823, constituting the Supreme Courts

Courts of Madras and Bombay, are re-enactments of its limitations) was passed in consequence of the collision and altercations between the two authorities, the legislature would not have taken care to enact or declare that such paramount jurisdiction over the Company's courts did belong to the King's court at each presidency, had it been intended to confer or to recognize it.

We cannot refrain from expressing an opinion, that if the judges are justified in assuming this stretch of jurisdiction, they have availed themselves of what Mr. Mill calls "the hooks and handles" of the law, rather than guided their conduct by the intention of the legislature.

Without adverting to the principles which are laid down by Mr. Mill in his excellent treatise on jurisprudence (that gentleman's axioms not being in very good odour with judges in general, and with the judges of Bombay in particular \*), we shall borrow a few of the sensible reflections of Dr. Paley, a writer who almost always illustrates questions of law by that natural sagacity which is sometimes warped by a legal education. In his chapter on the "Administration of Justice"† are various passages applicable to the question now before us—not to the dry point, as to whether this newly-claimed jurisdiction can be made out from the obscure and embarrassing language of the law, or from the dicta of judges; but whether, in the fair view of the matter, the judges ought to deem themselves bound, in a case so pregnant with consequences, to look neither to the right nor to the left, nor be governed by any consideration, but whether they are justified by the letter of the law in the course they have thought it their duty to pursue. Mr. Justice Chambers expressed his astonishment that the government of Bombay should have supposed the judges capable of bending their sacred obligation to distribute justice to the maxims of state policy. "We are bound by the oaths we take in entering upon our office," he adds, "to set aside all considerations of expediency and policy, and rigidly and uprightly to decide according to that rule which we know to be the right one; and the rigid adherence to such well-known general rules which, as long as they are so observed, may be called laws, is the only way in which my unsophisticated understanding can satisfy my conscience that I am keeping the sacred duty of my office." Now, although we agree in the opinion that "a diplomatic temporizing judge" is a great curse; yet we cannot conceive that a compliance, under the peculiar circumstances of the case, with the suggestions contained in the government letter, would have exposed the judges to that stigma. "The deliberations of courts of justice upon every *new question*," says Dr. Paley, "are encumbered with additional difficulties, in consequence of the authority which the judgment of the court possesses, as a precedent to future judicatures; which authority appertains not only to the conclusions the court delivers, but to the principles and arguments upon which they are built. The view of this effect makes it necessary for a judge to look beyond the case before him; and beside the attention he owes to the truth and justice of the cause between the parties, to reflect whether the principles, and maxims, and reasoning, which he adopts and authorizes, can be applied with safety to all cases which admit of a comparison with the present. The decision of the cause, were the effects of the decision to

\* The late Sir Edward West is reported to have said, in reference to an alleged misrepresentation in the *Bombay Courier*, that "if the whole of what Mr. Mill has said about judges and law had been inserted (in the paper), I know where the editor of that paper would be now, or in a day or two at least." See *Asiat. Journ.*, vol. xxiii. p. 493.

† *Moral Philosophy*, book vi. ch. 8.

to stop here, might be easy; but the consequence of establishing the principle which such a decision assumes, may be difficult, though of the utmost importance, to be foreseen and regulated." Again, he observes in another place: "when justice is rendered to the parties, only half the business of a court of justice is done; the more important part of its office remains—to put an end, for the future, to every fear, and quarrel, and expense, upon the same point."

It will perhaps be said that Dr. Paley was no lawyer; he was only a philosopher. This is true: but if the axioms he declares are the result of and consistent with sound sense, it will reduce those who dissent from them, on the ground that they are repugnant to the principles of English law, to an awkward dilemma: either those principles are irreconcilable with common sense, or they do not authorize that inconsiderate subserviency to literal interpretations, without regard to consequences, which seems to be held by the judges of Bombay to be the bounden duty of a judge.

The pretensions of the court of Bombay are built upon arguments which, of course, would authorize the same conclusions in favour of the King's courts at all the other presidencies; and what would be the effects of this power exerted by the Supreme Court of Calcutta, if it were as extensive as Mr. Justice Grant conceives it to be? He says, "the supreme powers and the jurisdiction properly belonging to the court as having 'such jurisdiction and authority as our justices of our Court of King's Bench have, and may lawfully exercise within that part of Great Britain called England,' other than a jurisdiction in civil suits and actions, have no limit within those territories (subject to and dependent upon the presidency) by the letters patent; but that it cannot try crimes and offences, which by law can only be tried by a jury (except as court of oyer and terminer and gaol delivery for the town and island of Bombay, and the factories subordinate thereto, *ex necessitate*, for want of power to command the attendance of a jury elsewhere); but that such sub-jurisdiction and power as it can exercise without the verdict of a jury, it is bound to exercise when called on in any part of those territories."

It is, we hope, scarcely necessary for us to disavow the design of imputing to these learned personages (one of whom is now no more, and would, even from that consideration, be secure against any animadversions from us) any improper motive. An apparent warmth of temper and expression is all we impute to them not perfectly reconcileable with their sense of duty; and this imperfection may be charitably assigned to a belief, groundless indeed, as it seems to us, that they had been affronted in their public character.

The duty which is thrown upon the government at home, by this unfortunate collision between the two authorities, is extremely delicate; for whilst, on the one hand, it cannot but perceive the danger of throwing down, to a certain extent, the barriers between the King's and Company's courts, and of affording to depraved and mischievous natives reason for thinking that they can escape from the grasp of the Company's judicial process by availing themselves of the technicalities of the law of England; on the other hand, there is nothing more to be deprecated than an occasion which calls for any act even implying a condemnation or censure of a judge by the superior government. Firmness in maintaining the dignity and just pretensions of the King's courts in India is as necessary as temper and moderation; and it is to be feared that an unsuccessful contest for superiority with the local authorities, on the part of the existing judges, may tend to render succeeding judges more compliant than they ought to be, when their province was unquestionably invaded.

## ABOLITION OF THE PRESIDENCY OF PENANG.

*To the Editor of the Asiatic Journal.*

SIR: The dilapidated state of the East-India Company's finances has excited an anxious desire in the Court of Directors to relieve the pressure, by a rigorous scrutiny into the expenses of every branch of their service, and among other arrangements, it has been proposed to abolish the present government of Penang as a distinct presidency, restoring it to what it was twenty-five years ago, namely, a residency depending on Bengal. With this view it is proposed to send a civil servant from Bengal, as governor to Penang, who again is to send his deputies to Malacca and Singapore; and all the present civil servants of the Penang establishment, not wanted for the immediate administration of those posts, are to be pensioned off.

Now a little reflection will, I think, shew that no saving will accrue from this scheme that might not be obtained in a much more simple and easy manner, by *reforming the present establishment*: for, as a Bengal civil servant, appointed governor or resident at Penang, will require a salary equal to that of the present governor, and as the deputies or residents at Malacca and Singapore will require the same allowances (*viz.* 1,000 dollars a month, and which are by no means excessive) as the present resident, or councillors as they are called, no saving will arise from these changes. Again; the number of assistants required to be at hand in case of accident to the principals, and to fill the posts of paymaster, accountant, &c., must be the same in both cases; so that in providing for the real, and *only real*, wants of each settlement, the expense will remain as before.

It is true that there are now several unnecessary offices, such as deputy and assistant secretary, deputy accountant, storekeeper, deputy treasurer, two deputy master-attendants, engineer, inspector-general, aid-de-camp, superintending surgeon, &c.; but these, as well as many others, ought to be abolished, without abolishing the whole establishment, without injuring, or, I might say, *ruining*, the young men who have gone out to Penang in the same confidence as all the Company's servants; namely, that they are not to be turned adrift on shabby pensions after having spent that portion of their lives which fixes every man's destiny in the Company's service in India, and which utterly disqualifies him for every other pursuit.

Let, then, all unnecessary offices at these places be abolished by order of the Court of Directors; let those who hold these offices wait for vacancies in other offices as civil servants out of employ, on moderate retaining salaries; and let no new writers be sent to Penang until the number of civil servants shall have been reduced by casualties to the number actually required for the duties of the settlement.

I have thus far argued the question as one of economy only; but the subject must be viewed in other lights. By the proposed scheme, the Court of Directors abdicate, as it were, all direct control over Penang, &c. in favour of the Governor-general of India, whose patronage will supersede their own, whose economy is to be trusted in preference to theirs, and whose government is to be preferred, although, as Governor-general of Bengal, he has no better means of judging of what is fitting for Penang than if he were, like them, resident in England. Let it also be remembered that the Governor-general of India is already so overwhelmed with business, that it was but very recently proposed to dismember the Bengal territories, and erect a fourth presidency in Central India.

That

That the increased and increasing expenses of Penang have attracted the notice of the Court of Directors is not surprising. Perhaps, however, the causes of that increase of expense have not been very carefully attended to: they arise, 1st, from the transfer of the Bencoolen civil servants to the Penang establishment (by which arrangement, however, a great saving was effected); 2dly, from the substitution of Madras for Bengal troops, and from an addition to their number; 3dly, from a gradual multiplication of unnecessary appointments—such as members of council, deputy and assistant secretaries, deputy accountant, deputy treasurer, storekeeper, inspector of lands, deputy master-attendants, engineers, aid-de-camp, superintending surgeon, five or six unnecessary writers, and at least one-half of the establishment of clerks in offices; and 4thly, from the addition of Singapore and Malacca to the Penang government.

As to the first cause of expense (the number of civil servants), I have already proposed that it should be reduced by absorption to the lowest practicable scale, and military and other offices abolished or reduced, by which a *saving might be effected of at least £15,000 a-year*. The second cause of expense admits also of easy remedy: for by the employment of steam-vessels, troops can now be sent from Bengal to Penang at all seasons with the utmost convenience and rapidity; and a single regiment, which would allow five companies for Penang, three for Singapore, and two for Malacca, with a detachment of native artillery, will be found quite sufficient for all necessary duties; so that one of the regiments of native infantry now stationed there may be dispensed with, by which a further saving of £18,000 a-year might be effected.

In addition to the motives of economy and superior facility of intercourse, there is another reason of no small importance for employing Bengal rather than Madras troops among the Malay and Chinese population of Penang, Malacca, and Singapore: for, whether it arise from the superior decorum of the Bengal sepoys, or their superior stature, or both, it is certain that they are much more respected in the Eastern islands than are the troops from Malabar; that fewer men will in consequence suffice to garrison these settlements, and that there will be less danger of insurrection or revolt.

A considerable reduction of expense might also be effected by obliging the individuals who hire convicts to feed and clothe them, as at New South Wales. At present, these people are clothed and fed by the government, and employed principally in ornamenting the Governor's grounds.

In considering the new measures proposed for the future government of Penang, I have not touched on the judicial establishment, of which it is understood that a reform is also intended; because that subject is independent of the question of continuing Penang as a separate government, and of the civil and military establishments to be allotted to the place. I will only remark that whatever scheme be adopted, provision must be made for the administration of *criminal*, as well as civil justice, *on the spot*; for to send culprits and witnesses to Bengal or elsewhere for trial, amounts, in fact, to a denial of justice.

I am, Sir,

Your most obedient Servant,

AN EAST-INDIA PROPRIETOR.

## THE ADVENTURES OF HATIM BENI TYE.

*(Continued from p. 159.)*

## THIRD QUERY.

THE historians of curious and entertaining events have recorded that Husun Banoo lost no time in requesting an explanation of the third query. "There is a mountain called Nidda, from whence a supernatural voice proceeds: Where is that mountain? Explain this mystery, and the cause of the preternatural sound." Hatim remained a few days with the prince of Syria, and then commenced his third important task. Night and day he travelled through forests and deserts, and at length arrived in the neighbourhood of a city, where he found all the inhabitants collected together and sitting at a sumptuous banquet, with a coffin in the midst of them. One of the assembly, seeing Hatim from a distance, called to him, saying, "come away, my friend, come away; we have been long in expectation of you." Hatim drew near, and inquired the cause of their being thus collected together. They replied, "according to an ancient custom in this city, whenever a person dies, we take him in his coffin to this place, prepare a banquet, and wait the arrival of a stranger. When the stranger arrives, we bury the dead, partake of the banquet, and then return to the city. We have been waiting ten days, during which time we have neither eaten nor drank, nor performed the rites of sepulture: every evening we cast the prepared victuals under ground untouched, and next day prepared more." Providence having now directed a stranger towards them, they buried the dead, partook of the banquet, and returned to their respective habitations. Hatim returned with them, and asked on the way where the mountain called Nidda was situated? They replied, "at a little distance from hence there is a city without a burying-ground; near that city is the mountain called Nidda, from whence a supernatural voice proceeds." Hatim set off, and in a few days came to a city which had no burying-ground. He lodged in the house of a man named Ham, and inquired of the inhabitants the cause of the sound which proceeded from the mountain. They observed, "when a native of this city approaches the end of his pilgrimage in this world, the mountain utters a preternatural sound, and the man goes up to the mountain: we know nothing more." Hatim remained some time in the city, and whilst he was there it happened that the end of Ham drew nigh, and the preternatural voice was heard from the mountain. Ham immediately left his friends and repaired to the accustomed spot, where he stood with his hands submissively clasped together, the sand became red, he went upon the mountain and vanished. Hatim, astonished at this, returned to the house of Ham, where he found nothing but mirth and rejoicing. Another day he heard the sound, and saw another man repairing to the mountain; he seized him round the waist and accompanied him. The grass was beautifully green; the man rolled upon it and expired: in an instant the ground opened and swallowed up the body, and then resumed its former smoothness. Hatim seeing all this, wished to return, but he could not find his way. After three nights and days he came to a large tree, near to which was a great river, and the water was red like blood. He was just expiring with thirst, when suddenly a boat appeared with not a man on board; he jumped into it, and fortunately found a loaf of bread and a fried fish, which he instantly devoured. The shore was covered with jewels and precious stones: he went along the border of the river, and after a journey of several days came to a lake, on the margin of which stood a lofty and umbrageous tree. This tree was full of human



heads suspended from the branches, one of which was transcendently beautiful, and shone with splendour. On Hatim's approach the beautiful head began to laugh, and he waited, full of love and anxiety, to discover the meaning of this extraordinary circumstance. When the evening came, all the heads fell from the tree into the lake, and assumed the shape of heavenly Hoories. When they were all seated and arranged, the most beautiful head, which had become a resplendent Hoori, mounted on a shining throne, ordered one of the inferiors to prepare a rich repast, and offer it to the newly arrived stranger. When she placed it before Hatim, he said to her: "enchanting fair one, until I am informed of the history of your condition, excuse my not eating of what you have prepared." The Hoori replied, "first food, then speech." He afterwards consented to eat, and when he had finished his repast, the Hoori took up the dish, saying "I am not allowed by my princess to enter into any conversation with you;" and immediately plunged into the lake, and the whole assembly vanished. Hatim, seeing this, was determined on the following day not to eat a morsel before he was made acquainted with the story of the Hoories. The next evening, the same thing occurred as on the preceding day: the repast was placed before him, but Hatim demanded an explanation previous to his touching it. The Hoori said, "first food, then speech," and, by cunning and coaxing, at last prevailed upon him to eat a second time, and again she plunged into the lake. Hatim was dumb with amazement, and vowed that the next day he would plunge into the water himself along with the Hoori and take his fate. The Hoori appeared at the usual time with the dish of food, but he obstinately refused to partake of it; in consequence of which she plunged into the lake, and Hatim immediately followed. On opening his eyes he found himself in the midst of an assembly, and although he attempted to speak, his tongue was unable to perform its office: the night passed away, and every succeeding evening the same spectacle was seen. Weary of the uncertainty of his situation, he again sprung into the lake, having resigned himself to the care of heaven, and this time found that he entered a dreadful forest teeming with man-devouring animals. Mad with love of the angel-faced damsels he had seen, he ran here and there till he was almost sinking with fatigue. An old man at length approached him, and said, "well, Hatim, why art thou so melancholy? That idol of thy heart is not to be gained; know that she is the daughter of Sham Ahmeer, the magician; she has no parallel in the world, and as long as he exists he will never part with her." Hatim replied, "venerable old man, I thirst once more to go back to her; it will delight my eyes, and charm my heart." The old man, hearing this, told him to shut his eyes, which being done, he was in a twinkling transported to the foot of the tree from which the human heads seemed suspended, all of which began to laugh at him. He wished to ascend the tree to take off that which was the most beautiful and fascinating; but on his preparing to put his wishes into execution, a tremendous yell was heard, and the tree opening, drew Hatim within the aperture. In this dreadful situation he put up a prayer to heaven, lamenting his unhappy fate, and the disappointment which would be felt by the prince of Syria. His lamentations were so loud that the old man again appeared, who, striking the tree, set the stranger at liberty. Hatim was anxious to know the name of his benefactor and deliverer, and was surprised and delighted to be assured that it was the great Khaja Khizzer himself. He further prayed of him to assist in obtaining the darling of his soul, and in destroying the magician, her father. Khaja Khizzer told him to remember the name of the Almighty God, and added, that whatever difficulties he might be involved

involved in, the great Creator of the universe would extricate him from them all. He then said, "shut thine eyes, that I may take thee to the top of the mountain." Hatim, when he had alighted on the mountain, attempted to walk, but his feet were petrified. He sat down and prayed in the name of the Almighty, and immediately his feet were loosened, and all the animals and birds that were on the mountain, on hearing the Creator's name, fled to Sham Ahmeer, who, after consulting his book, observed that Hatim-Beni-Tye was destined one day to come upon the mountain, and he concluded that this must be the day. All his business was now to concert measures by which Hatim might be secured and brought to him. He conjured up a phantom, beautiful as the full moon, with golden apparel, resembling the fascinating head suspended from the tree, and sent it to meet him in the forest. Hatim was sitting by the side of a fountain, and when he saw the heart-winning damsel surrounded by thousands of angel-faced attendants, he involuntarily became her slave. She filled a cup with wine, and presented it to Hatim to drink, throwing her arms about his neck : he inconsiderately took the wine and drank it. The moment he swallowed the contents of the cup, the phantom, which before appeared so transcendently lovely and angelic, assumed the shape of a black fiend, who, having first bound his hands and feet, carried him in triumph to the magician Sham Ahmeer. The magician having thus got Hatim in his power, demanded to know by what sort of death he would prefer to die : Hatim prayed inwardly, and was silent. The magician ordered him to be thrown into a fiery furnace, and a large stone placed over him. Three days afterwards, Sham Ahmeer consulted his book, and found that Hatim was still alive, by reason of the talisman in his possession. The magician was then anxiously occupied in studying how to get the talisman from him : he ordered him to be taken out of the fiery furnace and thrown under a large stone, with forty of his disciples in necromancy to guard him. After three days, at midnight, Hatim cried out aloud, "O my friends, if any one of you will take me up and convey me to the mountain, his reward shall be the talisman of the bears." Only one of the magician's disciples was awake, and he accepted the offer of Hatim : he took him to the side of a fountain, and setting him down, demanded the price of his labour. Hatim told him that if he would ask for it in the name of God he should have it. The disciple inquired "who is God ? Sham Ahmeer is our God."—"Accursed wretch," exclaimed Hatim, "God is the Creator, and Sham Ahmeer is created."—"If thou wilt not deliver up the talisman willingly," said the magician's disciple, "thou shalt by force." Hatim defied his power, upon which he began to mutter his incantations and to throw fire at him ; and when he saw that it made no impression on Hatim, but only burnt a part of the forest grass, he became a convert to the faith of Islam, and worshipped God and his prophet. Next morning, the sorcerer again consulted his book, and saw that Hatim had escaped from under the stone and was sitting by the side of a fountain, and that one of his disciples had become a Mussulman. At this intelligence he flamed with rage, and writhed about like a serpent ; he called his followers together, and again conjured up a golden-vested princess, and sent her to seize Hatim. This damsel, with thousands of fairy-faced attendants, immediately appeared before the wanderer, and casting her arms round his neck, cried doatingly, "O my faithful love, I have one request to make, which, if you will but grant, you shall enjoy the sweetest delight of lovers."—"What is it that you cannot command ?" rejoined Hatim fondly. "Give me the talisman of the bears." Hatim was almost on the point of giving it to her, when the old man re-  
appeared

appeared, and cried, "beware, Hatim, put not the talisman into her hand!" Hatim exclaimed, "old man, who art thou that interferest between the lover and his mistress?" The old man replied, "I am Khaja Khizzer. My friend, this is not thy mistress; this is the work of sorcery which the accursed magician has made to secure thee; take care, or thou wilt repent." Hatim then requested to know by what means he should be able to avoid the machinations of the magician, and Khaja Khizzer again told him to pray to the Almighty. At the sound of the name of God, the once-beauteous phantom was transformed into a hideous fiend, and, with all the enchanted attendants, burnt to atoms in flames of fire. Hatim fell at the feet of Khaja Khizzer, who encouraged him in his enterprize, and having given him instructions for the regulation of his future conduct, vanished into air. When the fate of all the enchanted phantoms was known to Sham Ahmeer, he collected his disciples together to attack Hatim. Hatim withstood the shock and resumed his prayers. The magician next showered upon him flames of fire, which were quenched the very moment the name of God was pronounced. Finding all these horrible expedients of no avail, the magician assumed the shape of a terrible dragon, but the name of God made it instantly vanish. The magician, after this last defeat, transformed forty of his followers into trees, and then privately fled to his master, the great magician, who pretended that, by his magic art, he had formed the heavens and the earth, who resided under ground, and only shewed himself to his slaves once a week. The magician's disciple, who had become a Mussulman, asked Hatim if he knew what the trees were which surrounded him? to which he replied in the negative. "These are all the magician's scholars." Hatim immediately sprinkled a little water on the trees, and prayed in the name of God, and forthwith the scholars resumed their original shape: they fell at the feet of Hatim, and became converts to the faith of Islam. They then shewed him the road to the city of the great magician, who, on hearing of their approach, commenced his incantations, and when Hatim came before him he showered upon him flames of fire, continuing the conflict many days; but the name of God made all his rage ineffectual; and the magician Sham Ahmeer and his master, the great magician, were both slain in the contest. Hatim returned thanks to heaven for the victory; all the inhabitants of the city were obedient to him, and acknowledged the king whom he appointed over them. He then left the city, and after several days of fatigue and hardship, came to the place where the lake was which he had before plunged into; but no tree, no lake, no heads suspended from the tree, were to be seen. Instead of this surprising spectacle he beheld a splendid mansion, and its gates crowded with attendants, to whom he said, "go and tell your princess that Hatim, the Arabian prince, is standing at her gate." They accordingly went to the golden-vested princess, who received them with downcast eyes, and continued silent, the cause of which they earnestly inquired. "Know you not," said she, "that this youth has even killed my father, and has come hither without having met with the least harm?" "Is it not better that such a father should perish than you should continue in this enchantment? Why then are you so sorrowful? It becomes you to marry this enterprizing young man." After a great deal of conversation upon this subject, Hatim was introduced, and the matrimonial knot tied. During the performance of the marriage-rites, suddenly the prince of Syria occurred to his memory, as if saying, "O Hatim, thou art indulging thine own wishes, and hast forgotten thy promise to me: at the day of resurrection what answer wilt thou give?" Hatim instantly sprung from his bed, while the

the golden-vested princess anxiously demanded the reason of this extraordinary conduct. He related to her every particular of the history of his adventures, and having written a letter to his father and mother, sent his golden-vested spouse with all her attendants to Arabia: he himself proceeded to Shahabad. The attendants of Hussun Banoo gave intelligence that the prince of Arabia had returned. The prince of Syria fell at his feet. Hatim took him to the mansion of Hussun Banoo, to whom (the jewel-ornamented tapestry being suspended between them) he related the story of the mountain called Nidda. Hussun Banoo replied, "you are right; in this manner have I heard it from my nurse."

#### FOURTH QUERY.

The writers of astonishing and marvellous stories, and the composers of tales of enchantment, have related, that when Hatim had completed the investigation of the third query, Hussun Banoo demanded a solution of the fourth. "A person has written over his door: 'Be virtuous and just, and throw into the river.' Where is that person? In what manner has he been virtuous and just? What did he throw into the river, and what were the consequences?" Hatim inquired if she knew in what direction he should proceed. "To the west," she replied: "thus much have I heard from my nurse, and no more." Hatim said: "God is beneficent and merciful, and can make even labour easy!"

The Prince of Syria would not allow his generous friend to depart for several days; he was anxious that he should rest a while from such uncommon exertion; but Hatim could not bear to remain inactive, and, bidding farewell to the prince, set off on his fourth expedition. He travelled a number of stages, and came to a large tree in the neighbourhood of a city, under the shade of which he sat down to screen himself from the burning heat of the sun. He had not sat long before a black dog, lolling out his tongue, approached him, and rolled at his feet. He saw a nail driven into his head, which he drew out, and presently the black dog assumed the shape of a beautiful young man. Hatim, astonished at this, inquired who he was. The young man rejoined: "I was a merchant, and my house is a few miles from this place. I have a beautiful wife. Returning home one day, I found her in the arms of one of my slaves; the moment she saw me she sprung up and drove an iron nail into my forehead, which instantly transformed me into a dog. She then beat me and turned me out of doors, and I have ever since been roving about this desert. By the favour and blessing of God, I am again in human shape and dress. God and the prophet will reward you!" The young man then took Hatim's hand and led him to his habitation, where they found the Ethiopian slave and his mistress, both of whom they immediately put to death. Hatim was honoured by a splendid entertainment for his generosity, and remained a week, after which he took leave and departed.

In a few days he met with another young man sitting under a tree weeping and wailing in a most distracted state. Hatim went up to him, and asked the cause of his sorrow. "O my friend," said he, "I am afflicted with such a disease, for which even Plato could find no remedy. The daughter of a merchant resides here, for whom kings and princes are suitors, and my heart is fettered in the chains of her ringlets. That hard-hearted, bewitching idol, requires three conditions, which I have no power to execute, and thus she can never be mine. I have no resolution to support an interview with her, and still I cannot endure the pangs of absence." Hatim gave him every sort of encouragement, and engaged to bring his affairs to a fortunate issue. He was conducted

conducted to the residence of the damsel, who, sitting behind a richly-worked tapestry, heard the overtures that were made to her. "Most beautiful of women," said Hatim, "recount to me the conditions you require, and promise that when these conditions are performed, you will oppose no other obstacles to the wishes of my friend!"—"Never," she replied: "if you perform these conditions, I engage either to be yours, or the mistress of whomsoever you desire." She then enumerated the conditions, which were: 1st. In the vicinity of this city, at the dead of night, a voice exclaims, "I have done nothing which is this day of any use to me." Where is that person, and who is he? What has he not done that he is so sorrowful?

2d Condition.—In the neighbourhood of this city is a cavern; what is the history of it?

3d Condition.—The Shah Morah is in the hands of Shah Peri, bring it to me.

When Hatim had comprehended the drift of these conditions, he took leave of the lady, and, approaching the young man, said "be of good cheer, Heaven will befriended you. Who can tell what face may appear from behind the veil of mystery?" He then set off, and at midnight he heard a voice crying, "I have done nothing which is this day of any use to me." Passing onward, directed by the sound, he came to a wilderness, and searching about, he observed several men dressed in white, sitting upon a rocky declivity, intoxicated. A little further on was another eminence, upon which a man sat in the same state, continually calling, "I have done nothing which is this day of any use to me." Hatim went nearer, and saw that the people were dressed in banquet-stained apparel, and sitting round a table loaded with all sorts of food. Before that man was placed a dish full of pus and blood, and the milk of zikoom.\* He looked at it, and wept and cried, "I have done nothing which is this day of any use to me." Hatim inquired the cause of his wailing night after night, and he replied, "Young man, all these whom you see are my slaves, and I am Khaja Ishan. I was formerly a merchant, and had property to an immense amount. And what was my conduct? I spent all, and never in my whole life gave away a morsel of bread; but these, my slaves, charitably gave away half of their subsistence-money. One day I heard this, and beat them severely, and disabled them, to prevent their continuing such benevolent practices. Shortly after, my caravan arrived in this desert, when suddenly a troop of robbers fell upon us, killed all my people, and plundered and carried off my property. I was also killed amongst my slaves: but they, on account of their benevolence, have reached a happy state, while I remain in the condition you see me, and for this reason I continually cry "I have done nothing which is this day of any use to me." Hatim immediately offered his services in any way that might be useful, when the mourner, accepting his kindness, said, "I have a mansion in your city, in which are buried four vessels of gold, unknown to any person. Go thither, and say to the people, one of those vessels of gold is to be distributed among you, and the other three amongst the poor and miserable, to the end that the giver may be released from his punishment." Hatim instantly proceeded to execute the wishes of the mourner. The vessels of gold were discovered, and applied to the purposes desired, after which God mercifully pardoned the sins of Ishan. Having succeeded in this enterprize, Hatim returned to the city of the damsel who

\* Zikoom, a tree, mentioned in the *Khoran*, the fruit of which is supposed to be the heads of devils;—infernal food.

who had required the solution of the enigma, and having arrived at the mansion, and stated all the particulars, she replied, "You are right, the voice has ceased for several nights."

Again Hatim set off, and soon came to a deep cave, which he entered, resigning himself to the merciful God. Presently he came to a door; he opened it, and pressing forward, beheld an extensive forest, abounding with beasts of prey. He appeased his hunger and thirst with the fruits of the forest, and went on till he came to a running stream. He laid himself down on the bank to sleep. It happened that there was a tremendous dragon in that place. The dragon perceiving Hatim, approached him, and taking him up gently so as not to awaken him, carried him to the top of a high mountain. He then laid him down. Hatim, opening his eyes, discovered himself in the power of the dragon. He inquired what the dragon wanted, and why he had brought him upon the mountain. The dragon bent his head to the feet of Hatim, and said: "O valiant hero, a scorpion has dispossessed me of my habitation, on which account I endure the utmost distress. Hatim inquired where his habitation was situated, and the dragon immediately directed him to the spot. The scorpion appeared in size like a mountain, and the human bones which were scattered round the cavern shewed that whoever went into it never came out alive. Hatim displayed the talisman of the bears, and placed it in his mouth. The scorpion instantly rushed upon him, but the talisman rendered its poison ineffectual, and the Arabian prince soon severed the head from its body. The dragon was then put in possession of his habitation.

Having performed this most wonderful adventure, he took a walk about the mountain and fell in with a durwesh, who told him to make haste, as he was waiting for him. Mutual salutations having passed between them, the durwesh gave Hatim an iron engraved plate, which he told him to hold fast in his right hand. "Go," said he, "to that stone tower, and apply this key to the lock and the door will immediately fly open.—Go, and you will discover a beautiful Peri imprisoned by a black demon. Steep this iron plate in water, and with that water sprinkle her face till she comes to her senses, and then bring her to me." Hatim did so accordingly, and the durwesh said: "At the distance of about three fursungs, a beautiful young man, the prince of the west, is sitting under a tree; take this Peri to him." When the young man saw his love, the joy of his soul, he fell at the feet of Hatim, then clasped the Peri to his breast, and went away with her to his own country. Hatim returned to the durwesh, who called a dragon before him, and commanded it to convey the Arabian prince to the place from whence he had been brought. The dragon accordingly performed the office, and laid him down on the bank of the running stream. The enterprize was thus ended, and Hatim, after a journey of several days, returned to the mansion of the merchant's daughter. The damsel was satisfied, and demanded an answer to the third condition: "The Shah Morah is in the hands of Shah Peri, bring it to me."

Hatim thanked heaven for his success in the two preceding adventures, and trusted to a continuance of the divine favour. He rested a few days, and soothed and encouraged the dejected lover. Time was precious: he again set off, and again he entered a forest which resounded with the roarings of beasts of prey; but he was not to be intimidated. A huge demon approached him, seized him, and conveyed him instantly to his king. When Hatim saw that a monstrous and horrible scorpion was seated on a throne, and surrounded by thousands of demons, he prayed fervently. One of them said: "Now your hour of death is at hand. How came you to this wilderness; from what country are you,  
and

and on what business?" Hatim explained the object of his labours. The demon said: "I have a daughter whom I love better than my life, she is the stay of my existence. During the last year she has been afflicted with a pain in her eyes, the violence of which keeps her in constant misery. For a whole year we have not seen a human being. You must administer to her the proper remedies, on failure of which death is your portion." The demon brought forward his daughter. Hatim moistened with pure water the talisman of the bears, and gently rubbed her eyes with it. The cure being thus effected, the daughter fell at his feet, and the king of the demons offered him immense presents of jewels, silver and gold; but Hatim refused them all, and said, "if you will convey, or direct me, to the kingdom of Shah Peri, I shall be eternally your slave." The king replied: "It would appear that the merchant's daughter has sent you for the Shah Morah. Why have so many men gone to fetch the Shah Morah, and sacrificed their lives? Think no more of it, but know the value of your own precious life. The Shah Morah will for ever remain in the hands of Shah Peri; he has twelve thousand islands of Peris, and he is never unguarded: how can men then overcome such a being?" Hatim rejoined: "May your majesty live for ever! place me but for one moment in his kingdom, let what will happen I am resigned to the will of fate." The king was embarrassed, and at length commanded one of his demons to convey Hatim to the dreadful region.

The demon took him upon his shoulders, and mounting into the air, flew away with the prince of Arabia. The earth and all its beautiful prospects lay extended beneath them. At last they alighted upon the peak of a mountain. "This is the border of the kingdom of Shah Peri," said the Demon. "I can proceed with you no farther; we may both be killed, therefore give me permission to depart." Hatim gave him leave to return, and marched forward. He was soon surrounded by Peris and taken prisoner: they carried him into a garden on the banks of a river, and placed a guard over him. An opportunity offering one day, he threw himself unobserved into the river: the waves of the river rolled over him, and on the tenth day after they cast him ashore. He was reduced to the necessity of feeding on the leaves of trees to allay his hunger and thirst. Again he pressed forward, when suddenly a troop of the Peris, who had been on guard over him, saw him, and forthwith carried him before their chief. The chief inquired from whence he came, and on what emergency he had come. Hatim prayed internally, and then replied: "I am a stranger who has experienced great affliction, and seen many strange nations. I was a merchant on board my vessel, which was unfortunately wrecked in a violent storm; I was plunged into the sea, and cast on shore a little way from this place. I was in hopes of reaching some habitation where I might enjoy a few days of rest. A garden was before me. I was seized by your Peris, and am thus forcibly brought into your presence by them. I am obedient to your commands." At these words the heart of the chief softened, and he told the Peri to watch over him. "I will," said he, "send this man to the king, that his destiny may be known." Hatim was put into confinement, and a letter despatched to the king to inform him that a man had been apprehended on the shore of the Red Sea, and to know the royal pleasure respecting him. The king commanded the mortal being to be produced before him.

As soon as the command was received, Hatim was hurried off, and when they arrived within twelve miles of the seat of government they halted, intending next day to wait upon the king. Near to that place was the garden of the king's vizier. For two or three days the vizier's daughter, whose name

was Beautiful Cheek, had walked in the garden. It was then the custom for the Peris to enjoy the amusement and pleasure of promenading in the garden six months, and to confine themselves to their houses the remaining six months in the year. Beautiful Cheek and the Peris were traversing the garden, when she beheld a mortal approach. She returned to the most retired part of the garden, and inquiring into his condition, spoke warmly of his personal beauty. She ordered the Peris in her train to convey the young man to her, as soon as the guards of the prisoner had gone to sleep. In the middle of the night they accordingly conveyed him to the garden. When Hatim opened his eyes, he beheld the lovely damsel near his bosom: he was astonished at his new situation. Beautiful Cheek said to him: "O sweet-faced youth, I am caught in the toils of love; be comforted, and let thy heart be glad with rejoicing. I am the daughter of the king's vizier, and be thy wishes what they may, they shall be accomplished." Hatim was highly pleased, and night and day was spent in the enjoyment of mutual friendship and kindness.

But what was the consternation of the guard when the morning dawned! there was no Hatim: they screamed, and lamenting aloud, with sorrowful faces, repaired to the presence of the king. When Shah Peri saw the situation of the Peris, he asked what could have occasioned their vexation and distress. They said that they were the guards of the Red Sea, in charge of a mortal whom they had lost on the way. The king observed that their crime could not be pardoned unless the prisoner was found. The Peris were confounded, and commenced search in all quarters with unabating perseverance.

After three months had passed away, one of the Peris happened to go into the garden which belonged to Beautiful Cheek, where she discovered the vizier's daughter and Hatim together, exchanging their mutual endearments of love. The Peri cried, "O thief, take care that your crime is not brought before the king. You are frisking about in the garden of delight and pleasure while we are perplexed with difficulties: take care!" When these words reached the ears of Beautiful Cheek, she said to her Peris, "go and punish her;" and they immediately drove her out of the garden. The Peri hastened to the presence of the king, and stated that Beautiful Cheek, the vizier's daughter, had stolen the young man, and was caressing him in her garden. When the king heard this he writhed like a snake, and flames of fire arose from the furnace of his bosom. He commanded the Peris of the presence to go and ascertain correctly the fact. In a moment an army appeared and surrounded the vizier's house. They said to the vizier: "If you wish to live, send your daughter and the young man immediately to the king; if you neglect to do this, you and your wife and your children will be destroyed."

The mother of Beautiful Cheek, seated on her throne, repaired to the garden, and summoned her daughter before her. "Daughter," said she, "whatever of good or bad you may have done, you must account for it to his majesty our king." In short, Beautiful Cheek and the mortal-born were produced before the king. The king ordered the daughter to be confined, and then he called to the young man, saying: "O thou, whose death is at hand, from whence hast thou come, from what country, and why hast thou ventured within the limits of our territory?" Hatim replied, "May your majesty live for ever: I am a poor traveller, separated from my friends. The vessel which contained all the property I possessed was wrecked at sea: in that perilous situation I clung to a plank, upon which I floated on shore. Whilst I was returning thanks to Providence for my safety, guards of the Red Sea observed me and made me their prisoner. On our way to thy presence full of light,



we halted, and I was taken up by some one to a garden ; I was helpless, but hoped that I was under the protection of heaven. Praise be to God that I am now in the presence of your majesty." Shah Peri, hearing this, declared him innocent, and ordered him to be better taken care of in future.

Hatim was allowed to wait upon the king once every day. One day he observed that the king was indisposed, and anxiously inquired the cause. The king said that for several days he had been afflicted with a violent pain in his bowels. Hatim immediately had recourse to the talisman of the bears : he gave the water, in which he had washed the talisman, to the king to drink, and, by the blessing of God, his majesty that moment recovered. The king was overpowered with gratitude, and offered Hatim whatever he could wish. Hatim said : " If your majesty will promise and swear by the name of Solomon and David, I will then tell you what I require." The king promised, and swore accordingly. Then Hatim said : " O king, if you generously make me a present of the Morah which is bound round your arm, I will be your slave and servant for ever." The king bent down his head, and seemed absorbed in thought. He then said : " O Hatim, it now appears that the merchant's daughter has sent you for the Shah Morah. I cannot break my oath and promise ; but I request that, after the lovers are married, I may be allowed to recall it : it must not remain with them." Hatim agreed, and the king gave the Morah to him.

When he got the Morah in his hand, he found that all the hidden treasures of the earth were displayed to him, and concluded this to be the reason why the merchant's daughter had required it. He then took leave, and four of the Peris were commanded to transport him to the residence of the merchant's daughter. This was done in the twinkling of an eye : and when Hatim arrived at the house of the young man, he was of course received with delight and rejoicing. They both repaired to the merchant's daughter, to whom the Shah Morah was delivered. The merchant's daughter then said : " Well Hatim, do with me what you please : I am your mistress, or the mistress of whomsoever you desire." She was then united to the young man ; and after the ceremony of the marriage had been performed, and the rejoicings concluded, the Shah Morah vanished from the hand of the damsel. This occurrence made a great noise ; but Hatim quieted their murmurs, and took leave of them, to prosecute the other objects of his mission.

He soon arrived at a large city, to the inhabitants of which he said, " Know you any thing where the man resides who has written over his door, ' be virtuous and just, and throw into the river ? ' " The inhabitants said, " It may be about twelve fursungs hence. By the side of a river there is a house, and the owner of that house has written over his door : ' Be virtuous and just, and throw into the river.' " Hatim directed his footsteps that way, and after three days' march he arrived at the place, where he found written : ' Be virtuous and just, and throw into the river.' The servant of the house hearing that a person had come a great distance to inquire for their master, gave information of the circumstance. The owner of the house came out to meet Hatim, with smiles on his countenance, and was overjoyed to see him. He folded him in his arms, and inquired from whence he had come. Hatim said that he had long wished to meet with him, and now thanked heaven for his success. The young man said, " what can the reason be of all this trouble and anxiety ? " Hatim immediately related every circumstance of his adventures, and the young man expressed his admiration of the generosity and disinterestedness of his soul in encountering so many difficulties for the sake

of another. "Blessed is the father, and blessed is the mother, who have such a child." Hatim now asked the meaning of the words written over the door. "Why do you say, 'be virtuous and just, and throw into the river?' What has been virtuously done, what has been thrown into the river, and what are the consequences?" "O Hatim," said the young man, "I was miserably poor, and daily employed in carrying water and wood, and whatever I earned was expended for the nourishment of my body. I repeatedly threw two loaves of bread, in the name of God, into the river. Years passed in this way, till at last I was without the means of support. All night I was without food, and the following day brought me nothing: thus three days past. On the fourth, at night, I had a dream. A pious man said to me: 'My friend, to-morrow morning, at prayer time, go to the river side; close both your eyes, and plunge both hands into the water; whatever comes into them apply to your own use: do the same thing daily.' In the morning I rose and read my morning prayers, then went to the river side. I did as I was instructed, and lo! two pieces of gold came into my hands. These I appropriated for the relief of my own wants, and for the comfort of the poor and miserable. Since that time I daily receive two pieces of gold, which are expended in the same charitable manner. For this reason I have written over my door, 'be virtuous and just, and throw into the river.'"

Hatim was delighted beyond measure, and after a few days' stay took leave and returned to Shahabad. The attendant of Hussun Banoo informed their princess of the safe return of the prince of Arabia. The prince of Syria had received the same intelligence, and he hastened to accompany Hatim to the mansion of Hussun Banoo. Hatim related to her all that he had seen and heard. "You are right," said Hussun Banoo; "in this manner have I heard it from my nurse."

*(To be continued.)*

## H A T I M T A I.

*Mon Dieu ! il y en a deux !—French Ghost Story.*

*To the Editor of the Asiatic Journal.*

SIR: On turning over the pages of your valuable journal for this month (March), I was a little startled when I came to a long extract from the celebrated romance of "Hatim Tai." As I am at present interested in that work, I shall briefly state to you the case, and I am confident that your sense of justice and propriety will hold me excused for the trouble I now give you.

Some months past, I undertook a translation from Persian MSS. of the romance of "Hatim Tai," which is now printing under the auspices of the Oriental Translation Committee connected with the Royal Asiatic Society. Allow me then to state, that the work which I am translating is not the same as the one from which your extract is taken. They have both the same name, and celebrate the same hero; but therein only the similarity consists. Your extract is a translation from the text of the copy printed at Calcutta 1818, a work which differs widely from all the MSS. of "Hatim Tai" which I have yet seen.

The Calcutta printed copy is very much abridged. The style of the language is altered to what the present Asiatics call "an improvement," that is, it is flowery, or rather figurative, and full of high-sounding epithets, at least such is the case when compared with the chaste and natural language of the manuscripts. The following is an instance from p. 2 of the Calcutta copy:—"The king, on hearing this statement, having become enraged, writhed his body, and

and the flame of the fire of indignation blazed aloft from the furnace of his breast." In the MSS. few instances of this kind occur; the words employed express the ideas with effect, but do not exhaust them. I may add, that I have access to four manuscripts of "Hatim Tai," all of which agree in every respect, though written at different times, by different hands, and at places widely distant from each other. It may be asked then, how comes the Calcutta printed copy to differ so much from these MSS.? To this I am unable to give a positive reply; though there is ground sufficient to suppose that it is the production of some of the learned natives attached to Fort William College, who, under the notion of "improvement," condensed and altered the earlier work into the form in which it was there printed.

I here send for your inspection a few proof sheets of my translation, which will at once shew the utter dissimilarity of the two works in question. I should also feel extremely obliged, if you could afford room for a few extracts of the same in your next number. This, I conceive, would afford satisfaction to the members of the Oriental Translation Committee, as it would assure them that they are not publishing a work which has already appeared in print. To the translator it would be gratifying to have an opportunity, through the medium of your journal, not only of vindicating himself from plagiarism, but of proving that it is not within his power, under existing circumstances, to commit that besetting sin.—I am, yours, &c.

23, Leicester Square.

DUNCAN FORBES.

\*\*\* We have compared the first three sheets of Mr. Forbes' translation of this tale with the portion of the Calcutta translation inserted in our last number, and we have no scruple in stating, that they are evidently made from works differing essentially from each other, although the ground-work of the fiction is the same in both. We may even venture to say, that the perusal of one will scarcely, if it all, impair the interest of the other.

The insertion of extracts from Mr. Forbes' translation would be inconvenient, without, in our apprehension, materially serving the object he has in view. When his translation is completed and published, Mr. Forbes may depend upon receiving justice at our hands: in the mean time, his letter will obviate any misconception unfavourable to him in the minds of the Oriental Translation Committee or the public.—EDITOR.

## SONNET.

(From the French.)

How many early loves and friendships sweet  
 Has death dissevered! But, alas! 'tis meet  
 The tender herb should fall beneath the blade,  
 And flowers be trodden down, or swiftly fade,  
 Nipped by the cruel blast, or scorched with heat.  
 Water will rush from hill to vale below;  
 The lightning must be brief,—its ruddy glow  
 Vanish within a twinkling's space. We know  
 The treacherous Spring will with soft breezes greet  
 The orchard, and when all its petals blow,  
 A blight will strew the blossoms at our feet.  
 Yes; this is life!—a sumptuous banquet made  
 For hungry guests: but of the crowds that go,  
 Do all, or many, sit it out?—Ah, no!

HUGO.

## COLLECTION OF THE LAND REVENUE IN SOUTHERN INDIA.

*To the Editor of the Asiatic Journal.*

SIR : It has been asserted, and the assertion appears to be supported by facts to be found in the *Revenue Selections*, that landed property—that is, the property of the ryots in the land—has undergone great depreciation in price, in the Carnatic and in Tanjore, since the cession of those provinces to the dominion of the East-India Company. This depreciation is to be traced, it is said, to the introduction of a detailed mode of collecting the land revenue, heretofore unknown, under the denomination of village leases, or individual\* assessments. These modes of collection covered the country with stipendiary revenue officers, and require, it is presumed, that extraordinary powers should be vested in the European collector, and in his native assistants:† at any rate such powers were granted; for, at first, the collectors were the sole civil and criminal judges and magistrates, as well as the assessors and collectors of the revenue; and even now, under Sir Thomas Munro's code, they are assessors and collectors of the revenue, magistrates, superintendents of police, and judges in certain revenue cases. Their native assistants are also collectors—magistrates to a certain extent, with powers to fine, confine, and, in certain cases, to inflict corporal punishment—are superintendents of police, and are also, under these detailed modes of collection, the primary assessors of the land revenue.

That under the existence of such extraordinary powers, it should be found that the *agreements* entered into by the village inhabitants were *compulsory*, or that the commutation of the customary payments in kind for payments in money, under the ryotwar system, should have been made at the discretion of one party only, is not to be wondered at. If this discretion has not in many cases been exercised with judgment and justice, it will easily account for the ruinous contracts entered into, for the quantity of land brought to the hammer for the liquidation of balances, for the unwillingness of natives of respectability to become purchasers of landed property placed under such circumstances, and for its consequent depreciation in price.

Be the facts, as they are here surmised, the cause of this depreciation or not; be the assertion incorrect that depreciation does exist; it is nevertheless a subject to which it can do no harm to draw the attention, through your pages, of those in local authority in India who have the means of ascertaining the truth. If the ryotwar mode of collection has raised the value of landed property, and the powers exercised by collectors and their native assistants, in the collection of the land revenue under this system, have promoted agricultural and commercial wealth; how much will the opponents of ryotwar be surprised to find such effects have been produced by such causes! "Arbitrary power, whether civil or religious, if tried by the only fair test, that is, by its effects, seems to have more affinity with weakness than strength. It enfeebles and narrows what it acts upon."

If it be true that our permanent zemindary system has been ruinous to zemindars, our ryotwar system ruinous to ryots, our village lease-system ruinous to the villagers collectively; must we go back to the old native practice of renting out‡ the collection of the land revenue to the highest bidder?

\* Ryot-war.

† Teseelders.

‡ General letter, 9th Feb. 1736: "When cowles (leases for the collection of the revenue) expire, to be put up at auction and re-let to the highest bidder."—Consultation, 31st Aug. 1774: "The letting of lands on leases in every respect the most eligible. Employing collectors liable to many inconveniences."

bidder? We have a recent instance of retrograde movement under Sir Thomas Munro's government, where the collection of the inland customs has been let in farm to the highest bidder, because fraud and embezzlement had been practised in the collection.\* If the practice of fraud and speculation by native stipendiary agents be good cause for collecting the revenue by contract, every province under ryotwar either has furnished, or will probably soon furnish, the proof required for the adoption of the contract system. We shall thus, under the example furnished by Sir Thomas Munro, get back to the good old times of 1774, many may be disposed to think with advantage, where laws exist to protect the payers of revenue from the oppression of the contractors; otherwise, how is the inland trade of Madras to be protected under the renting system?

That landed property, of the nature above alluded to, was at one time in much request by the wealthy natives of Madras, may be inferred from the fact that Mudukistnah Mudeli, the dobash, or interpreter, of the governor, employed to negotiate the treaty of peace entered into, A.D. 1769, with Hyder Ally under the walls of Madras, purchased a very considerable extent of landed property in Tanjore (ryots' property in land), which his successors hold at this day. Many of the dobashes of other public functionaries, and other wealthy natives, purchased landed property (always meaning ryots' property in land) in the Carnatic, and in the Company's jagcer, a portion of the Carnatic.

That wealthy natives, indeed natives of all ranks, are attached to landed property, may be gathered from the numerous applications made for grants of villages on zemindary tenure, usually called shotriums, or enâms, in Southern India. These grants† are not of the ryots' property, but of the sovereign's property in the land. The dobash alluded to above received, in shotrium grant, a village near Madras. He was then in his lifetime a possessor of zemindary property in the Carnatic, and of ryots' property in Tanjore, and valued highly *then* both these properties; the one being obtained in reward for services, and the other acquired by his own industry and savings.

In like manner, Sir Thomas Munro, although so decidedly adverse to zemindary agency, could not resist, it would appear, the wishes of his head native servant, a Mahratta Bramin. He has been created a zemindary proprietor over the ryots of two or three villages in the district of which Sir Thomas Munro was the collector. Either these ryots were, therefore, handed over to this Bramin zemindar "in gross," or the courts of justice were considered competent to protect the ryots from oppression. It is presumed, the Bramin was bound by the conditions of the grant (which if the courts are useless he could break at pleasure) to collect the revenue according to Sir Thomas's survey rates,‡ at least not to increase those rates; so that, under the alleged inadequacy of the local courts of justice to protect the ryots, these ryots were transferred, with Sir Thomas Munro's concurrence, from the "parental care" of an European collector to the rapacity of an Asiatic zemindar. "If the gentlemen of England will sacrifice improvement to the petty

\* Madras, A.D. 1821, Reg. V. "Whereas the frauds committed in the levy of the land customs, and the consequent loss experienced in the realization of that branch of revenue, renders it desirable to revert to the practice which formerly obtained of renting out the collections of land duties in districts in which that system can never be introduced with advantage, collectors are empowered to rent under the orders of the Board of Revenue the general inland duty," &c. &c.

† Ryots' property in the land cannot be the subject of gift by the sovereign; it can only be acquired by gift or purchase from the ryot.

‡ No grant specifies the amount of the revenue which the grantee is to levy from the ryots.

petty portion of arbitrary power which the laws of England allow them to exercise over tenants at will, what must we not expect from the zemindars of Hindustan, with minds nurtured to habits of oppression, when it is referred to themselves whether they shall or shall not have power over the miserable ryots to whom the law is too imperfect to yield protection?"\*

The question for the Legislature to investigate is, not what has been the effect of the permanent zemindary agency in the realization of the land revenue, nor what has been the effect of the stipendiary agency under the ryotwar plan for the collection of that revenue. The questions to be determined are, which of these plans approximates nearest to ancient Hindu † usages? Which is most sound in principle? Both zemindary and ryotwary have failed in numerous instances: these failures have nothing to do with the justice and policy of either plan. It is time the Legislature should interfere, and decide on what principle the land revenue of British India shall be collected; and may that interference be speedy and effectual, is the wish of

R. R.

\* Mill's *Hist. of India*, vol. iii. p. 276.

† The committee of Revenue Inquiry in Bengal of A.D. 1778 stated that "almost all the lands of Bengal were held under some person who collects the revenue, and stands between the government and the immediate occupant of the soil."

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#### LINES BY AN INDO-BRITON.\*

Know ye the land where the fountain is springing,  
 Whose waters give life, and whose flow never ends;  
 Where cherub and seraph, in concert, are singing  
 The hymn that in odour and incense ascends?  
 Know ye the land where the sun cannot shine,  
 Where his light would be darken'd by glory divine;  
 Where the fields are all fair and the flower's young bloom  
 Never fades, while with sweetness each breath they perfume;  
 Where sighs are ne'er heard, and where tears are ne'er shed,  
 From hearts that might elsewhere have broken and bled;  
 Where grief is unfelt, where its name is unknown,  
 Where the music of gladness is heard in each tone;  
 Where melody vibrates from harps of pure gold,  
 Far brighter than mortal's weak eye can behold;  
 Where the harpers are robed in a mantle of light,  
 More dazzling than diamonds, than silver more white;  
 Where rays from a rainbow of emerald beam;  
 Where truth is no name, and where bliss is no dream?—  
 'Tis the seat of our God! 'tis the land of the blest—  
 The kingdom of glory—the region of rest—  
 The boon that to man shall hereafter be given—  
 'Tis Love's hallowed empire—'tis Heaven! 'tis Heaven!

\* From a volume of poetry published recently at Calcutta, by Henry Louis Vivian Derosio, a young man born and entirely educated in India. The lines are an imitation of some by Lord Byron.

## THE WAR IN THE EAST.

ALTHOUGH, according to appearances, the war which is still prosecuted by Russia against the Turks, ought to excite a higher degree of interest in England than amongst the continental nations of Europe, the belligerents excepted, yet it perhaps attracts less notice here than elsewhere. Whether the important subjects of domestic policy, which have latterly pressed upon the public mind, namely, the affairs of Ireland and the Roman Catholic question, together with the state of certain branches of our trade, have so absorbed its attention as partially to exclude foreign politics; or whether the little success which attended the Russian arms during the campaign has led English politicians to consider the contest as virtually at an end; it is certain that a war which, at another period, would have set all England in a ferment, is at present regarded with almost as much indifference here as a dispute between two ephemeral states in South America.

It is otherwise in France: judging from the periodical as well as other publications in that country, and from the tone of private communications, the war in the East is a very popular topic of discussion. Some of the most intelligent works upon the war have appeared in the French language, and some of the ablest political writers in France condescend to treat upon this subject. Amongst others, M. de Sismondi, the variety of whose literary productions must have secured him considerable notoriety in the world of letters, has taken up the pen, and has written an essay "On the Consequences which may be hoped or feared in respect to Civilization from the Russian War in the East."\* Although M. de Sismondi has, unfortunately, by an implicit reliance upon party-writers in this country, given a handle to his antagonists to accuse him of precipitancy and want of judgment; he is decidedly a man of talent, and the observations of such a man on such a subject as that to which he has now directed his attention are worthy of consideration.

M. de Sismondi begins his essay by assuming that on the issue of this great conflict depends the moral and intellectual destiny of a large portion of the human race, in a central part of the world, richly endowed by nature, and adapted by its situation to re-act upon the rest. He proposes therefore to consider what should be desired, as the means to attain the end which liberal men must have in view, namely the diffusion of knowledge, morals, and liberty throughout the Turkish provinces. With this object, he proceeds, first, to inquire into the causes which have impeded the success of the Russians, preparatory to considering the results which may be expected from the approaching contest, and the expectations which are to be entertained in regard to them.

Reasoning from the comparative condition of the two states, the politicians of Europe, says M. de Sismondi, at the breaking out of the war, expected nothing less than the instantaneous overthrow of the Turkish empire. The event has disappointed them. "The period through which we have passed," he observes, "has accustomed us to witness what a powerful genius could accomplish with the immense resources of a vast empire; but since, at the same time, the self-love of our contemporaries has been busying itself in depreciating the worth of this powerful genius, explaining events with reference to the forces he employed, forgetting the head that put them into motion, the

\* *Conséquences que l'on peut désirer ou craindre pour la Civilisation, de la Guerre des Russes dans le Levant.* Brochure in 26 pages, from a periodical publication at Paris, January 1829.

the resources of Russia were computed as if they were wielded by a Bonaparte; we fancied that numerous battalions, a plentiful supply of provisions, an excellent system of discipline, skilful engineers, and able generals, could do every thing by themselves." Although unacquainted with military tactics, M. de Sismondi points out some errors on the part of the Russians, which are obvious, he says, to the most ignorant; such as the delay and the indecision of the commanders of the grand army, and their inexperience in operations on a grand scale, whence it happened that they never had a commanding force at the most important points of attack. "A great general, with an army inferior in number, knows how to present at the point where he encounters his enemy, a superiority of force; whereas the Russians were unable to exhibit in the field the superiority they really possessed: they had four to one when they began the war, yet, in almost every instance, they were only one to four upon the point where the battle was to be fought." Their deficiency in the art of attacking fortified places was, he says, more glaring still.

Certain moral mistakes, however, he adds, were more detrimental to the Russian arms than these military errors; especially the false policy which induced the government of Russia to discountenance the Christian tributaries of the Turkish empire making common cause with the invaders against the Turks, telling them that so far from encouraging them to rise, the Russians did not desire their aid, which would be a rebellion against their legitimate sultan! Thus the Russians declared to the oppressed subjects of Turkey, that they came to live amongst them at their expense, to empty their granaries, to devour their flocks, to occupy their houses, and expose their towns and villages to be burned; but they could do nothing for them. "This absurd contempt for the rights and happiness of the people, compared with the pretended rights of the tyrant of the East, was attended with results which might easily have been foreseen. The wretched people amongst whom the war was introduced, especially the Bulgarians, hastened to take refuge in the mountains, removing their flocks and their corn, and concealing themselves, their wives, and children, in order to avoid the brutality and rapacity of the troops, and the requisitions and forced labour imposed by the officers." Hence the Russians were deprived of a resource for intelligence, and some of the most warlike tribes joined the Turks, whilst the Greeks of Macedonia and Thessaly remained indifferent spectators of the contest; so that the Turks, who lived amongst them, were able to leave them unwatched, and fly to the defence of the Balkan.

Another grand fault committed by the Russian government, according to our author, was their adopting the principle that the war should support the war; wherefore they marched into the Turkish provinces almost without provisions for men or horses. Ample means were afforded them for supplying their wants before hand; instead of which man and horse perished with hunger in a level country adjoining the rich valley of the Danube, with great navigable rivers and ports on the Black Sea so closely at hand, that the most advanced corps of the army was never further from the sea or the Danube than twenty leagues. "May this great lesson," he adds, "at least teach the Russian generals that the rights of humanity are in accordance with the views of military glory, and that the army which expects to subsist upon pillage must relinquish the hope of conquest!"

The severity of Russian discipline, which was observed with all the rigour which is enforced in their own country, enfeebled the invading troops, who,



though inured to fatigue and to the weather, were not proof against the sufferings they experienced, when obliged to stand for six or eight hours together incumbered with heavy baggage, exposed to an ardent sun, torrents of rain, or premature frost. The Russians have thus been the authors of their reverses; they repelled the aid which awaited them in the enemy's territory; by negligence or rapacity they exposed their troops to famine; and by the intolerable severity of their discipline, they introduced the plague or the typhus fever into their camp.

M. Sismondi thinks that, although experience may have taught the Russians more prudence, more than one additional campaign may be necessary to render them successful: he even wishes it, observing that though war undoubtedly produces the most frightful evils, it affords, almost always, the indispensable avenue to a more happy state of things. Even if Constantinople should fall, the Turks of Asia will feel less terror than resentment; and if the sultan should then desire peace, he would find it difficult to oblige the Musulmans to submit to the consequences of defeat.

Generous minds have been inspired with a very lively interest by the unexpected valour which the Turks have manifested in repelling an unequal attack; by their devotedness to the honour of their race, to their religion, and to their institutions, which has called them from the most remote parts of the empire, armed and combatting often at their own expense, and supporting with magnanimity the privations and the sufferings, as well as the perils, of so cruel a war. There is not the less disposition to admire in the sultan that iron character which yielded neither to representations nor to menaces; that invincible pride which refused to recall any decision once adopted, or to relinquish any thing which had been possessed by his ancestors; and finally that command over himself, which enabled him to suspend his vengeance, and observe for a time, even whilst inflamed with the fiercest indignation, the law of nations in regard to ambassadors, prisoners of war, and foreign merchants. Greatness of character, in whatever manner it is displayed, cannot fail to please us; and we would applaud the patriotism of the Turks in defence of their native country. But this sensibility does not make us shut our eyes against the sufferings or the rights of the numerous population held in subjection to the Turks, and whose yoke becomes daily more intolerable; or against the interests of the Turks themselves (which they misunderstand) in respect to succeeding generations, whose chains are rivetted by their present display of valour and patriotism. In spite of the virtues they exhibit in their existing circumstances, our wishes with respect to the final issue of the contest continue the same, namely, that it may end in the entire overthrow of the Musulman empire.

Turkish despotism condemns the higher ranks of its own society to ignorance, dread, and corruption, the lower orders to misery, the females to corruption, and foreigners to slavery. This despotism extends in Europe over 33,000 square miles; in Africa over 36,000; in Asia over 67,000. It oppresses those parts of the ancient world which were the earliest peopled, and were for the longest period civilized; and over this immense space, this despotism has been the sole reason why, for several centuries, amongst twenty-five millions of inhabitants, not a single individual has appeared who has made any advance in human knowledge.

M. de Sismondi applies himself to the refutation of an objection raised by some English journalists that there is too slight a difference between Russian and Turkish despotism to induce the friends of the human race to desire the substitution of one for the other. Amongst other arguments, he alleges that the population and wealth of Russia are fast increasing, whereas in Turkey they are both on the wane; and that the Russian government is the most liberal in Europe with respect to its conquered subjects, allowing them absolute freedom.

freedom of conscience, a perfect equality of rights with the rest of its subjects, and the existence of their ancient laws; and it educates them without destroying their nationality. Our author asks whether other states have acted thus; whether Austria has so ruled the Hungarians; the Spaniards and Portuguese the Americans, and the English their Indian subjects, or even Ireland? With regard to the policy of England towards India, we can say "yes:" the Hindus have been allowed free scope to their religion, they are equally protected with other British subjects, they are governed by their own laws, and are educated without any attempt to destroy their nationality.

M. de Sismondi then proceeds to consider another and more formidable objection, namely, whether, supposing that the overthrow of the Turkish empire (the probable consequence of the existing war) should put a stop to the sufferings of twenty-five millions of human beings, and restore this portion of the world to its former condition, is it not to be apprehended that this immense empire will become a subject territory of Russia, and that such an accession of power would threaten the independence of Europe? The danger thence resulting to civilized countries, which the loss of political liberty would force to retrograde towards barbarism, is, in his opinion, the only weight which can be placed in the scale against the chance of augmenting the moral, the intellectual, and the political liberty of the Turkish people.

The conquest of Turkey, he observes, is not an easy task; it has already cost the Russians great sacrifices, and the contest will become more difficult and more expensive as they advance towards Asia Minor. They may perhaps be embarrassed by wars growing out of their success for a considerable period to come; Europe may for a century be delivered from the influence of Russia, by reason of her engagements of war or settlement in Turkey; and a century for an empire so colossal, so ill-organized, so ill-compacted, composed of nations so various in manners, language, laws, and religion, may afford more chances of division than of union.

Moreover, M. Sismondi observes, that to calculate the strength of an empire by the extent of its territory is extremely fallacious. Russia is more formidable whilst at peace than when she prosecutes war in foreign territories. "The prodigious success which she owed to her climate, fifteen years ago, has added to her real strength a fictitious power which the war in Turkey has destroyed. This war has taught Europe that the Russians, potent as they are in their own defence, are little so in designs upon their neighbours; that small as their success has been in the East, it would be still smaller in the West, where numerous armies, fortresses, the military genius of the people, and the wealth of the states, would oppose insuperable barriers." The conquests which the Russians have made during the last century he calculates to be equal in extent of territory (not of population) to the whole Turkish empire; yet they have added positively nothing to the real strength of Russia. The people of these countries are completely reduced; whereas the Turkish provinces would be long before they would cease to be the scene of hostilities.

The war, we have no doubt, will end, if it continues, in the fall of the Turkish empire; but it appears by no means probable that it will terminate in the submission of that empire to Russia. The Russians themselves do not seem to desire it; they know full well the dangers which threaten them from the disproportion between the extent of their empire and its real strength. The Russian nobles are aware that if Constantinople becomes their capital, their vast domains around the Pole will lose their population and their value, that they will themselves become strangers to their court, and see their influence diminish with their circumstances. They wish not to change their

their country, but to enrich that which they now hold; they wish to introduce therein trade and civilization, to ensure a market for their products, a constant communication with the Mediterranean. The great rivers of their country flow towards the Black Sea, and according as this sea is open or shut, their revenues rise or fall almost to nothing. The tyranny which weighs down Turkey is ruinous to them; but the conquest of Turkey is not the expedient which they desire to put a stop to that tyranny. They would be pleased to see Turkey broken up into independent states, rich but not powerful, which might stand in need of them, manifest towards them deference and respect, and enrich them with their commerce. It is in conformity with these views of the nobility, and at the same time in order to maintain those servile principles which are cherished by all governments, that Russia, it is said, has proposed to the other powers to erect the provinces of European Turkey into so many principalities subject to hospodars.

In adopting this suggestion, observes M. Sismondi, of establishing these new states, the powers of Europe ought to take care, on the contrary, that they have a just and firm government, in order that they may secure to them a real independence. "It is with this design," he adds, "that, in making the first step to an arrangement of the affairs of the East, France, acting for the common interests of civilization, determined England, much against her inclinations, to join her in succouring Greece, and aiding in effecting the emancipation of that country."

The question at present in agitation, respecting the limits which should be assigned to Greece, almost as much concerns Europe as Greece itself. This new nation must be strong, in order that it may be independent, and may not seek a protection which shall place it at the mercy of one or other of the neighbouring potentates. Its population should be homogeneous, that it may not be torn asunder by civil wars; it should be compact and surrounded by good military frontiers, that it may not be obliged in its infancy to have constant resource to the guarantee of its protectors. If it be the wish to comprehend all the people who speak the Greek language, Thessaly, Macedonia, Cyprus, Rhodes, a part of the coasts of Asia Minor, must be included in Greece; but such a Greece, distributed over too large a space, and weakened by its dimensions, could never defend itself. It would be far better that free Greece should open its gates to Greece still in bondage, and recruit its diminished population by emigrants. On the other hand, if the stinted plan which has been promulgated be adopted, of confining Greece to the Peloponnesus and a few islands, it would be necessary to maintain a perpetual watch to defend the long coasts of the Gulf of Lepanto and the Morea against marauders in small vessels, and peace would not be restored to the most warlike portion of Hellas, where the mountain Armatoli are always in force. The Greeks will doubtless wish that their frontiers should be extended to the banks of the Sperchius; however, the chain of mountains which reaches from the Gulf of Arta to Thermopylae, if we add to the continent Eubœa and the other islands, will include all Greece that has been illustrious, all armed Greece, all Greece which is compact and easily susceptible of defence.

If the Turkish empire become dissolved, observes M. Sismondi, from its wreck may spring the elements of many great nations. The Moldavians, the Wallachians, the Bulgarians, the Servians, the Bosnians, the Albanians, the Greeks of Macedonia and of Thessaly, and the true Turks of Thrace, may either exist separately, or unite according to their congeniality in origin, religion, manners, and language; or according to the natural defences of their frontiers; and form powerful states. Asiatic Turkey is also inhabited by different races inimical to each other; Egypt is on the march towards independence, and the regencies of Africa have almost attained it. "All now suffer; all now plunder and massacre each other; but all may advance towards civilization, happiness, and wealth, if Europe, instead of fixing  
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the yoke which crushes them, shall aid them in their efforts to get rid of its weight."

I am well aware (says M. de Sismondi) that a certain class of persons already lift up their voice against this abuse of right on the part of the strong in disposing of the weak, and protest that one state can never interfere in the internal concerns of another state, nor intervene in aid of a people giving themselves a government or changing that which exists, without a violation of national right. This principle of *non-intervention* is one of those which have been recently proclaimed to the world, like that of legitimacy; and the one has not been better respected than the other, or rather they have never been so grossly violated. There has resulted therefrom only a vacillating, silly, and contradictory policy, which, one would think, late events in Portugal ought to have banished. Ever since the profession of this doctrine of national right, states have never ceased to form designs upon each other's sovereignty, and to act in respect to each other on motives or pretexts derived from their internal policy. Poland was partitioned on the pretext of its troubles; Holland was deprived by Prussia of its liberal constitution to favour the house of Orange; America was liberated in spite of England; all the coalitions against France were directed, sometimes against the participation of the people in the sovereignty, sometimes against the elevation of new men in the place of the ancient dynasties; all the wars of France had for their object the placing the neighbouring governments in connexion with the principles which ruled it. Since the fall of Napoleon, congresses of kings have reorganized the interior administration of states; monarchs have suppressed by open force the liberal constitutions of Naples, Piedmont, Portugal, and Spain; and when, after these daily occurrences, they tell us that they have no right to interfere with internal administration, that they have no right to oblige Ferdinand or Don Miguel to observe their oaths towards their subjects, that they have not the right of hindering Mahmoud from putting such of his subjects to death as refuse to adopt his creed, it would appear that they had restricted themselves to the right of doing ill, without even being able to do good.

Since wars of succession, wars of trade, and wars without other motive than plunder or conquest, have become (thanks to the "march of intellect") so rare, wars of intervention, he observes, are almost the only wars we are to look for; they are the consequence of the jealousy which must subsist between progressive and retrograde governments. But the rule of national law is not extinct; it is, however, modified by the same considerations which should govern individual states in respect to their own laws; it should have for its object the securing the greatest good for the greatest number: "a political act, a war, a treaty, an intervention in the affairs of neighbouring states, are justifiable when directed to this great end." Those men, adds M. de Sismondi, who (in England) constitute themselves so ostentatiously the champions of altars and thrones, defenders of religion and private morals, affect to despise such as think that morality ought also to govern politics. Why should private wrong be forbidden and public wrong tolerated? Is it wrong to rob or kill an enemy, but can we condemn a nation to the utmost misery if it consists with our own interests? Is it wrong to poison a man, or to corrupt the morals of a child; but may we poison Turkey, Portugal, Spain, and corrupt the morals of generations yet unborn, by upholding governments which will never permit a single virtuous man to appear in either country?

Some (continues our author), intent upon an object of greater moment, consider Turkey as the bulwark of India, and declare that the Company's possessions are lost for ever if the Russians succeed in extending their frontiers as far as theirs. If the fact be so, what a disgrace to England! What! she governs, or protects, at the present day, one hundred millions of subjects or allies in India, and fears their contact with Russia! Has she ruled them so ill, that she cannot flatter herself with the hope  
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that they can resist the impetuous desire which will be excited in them at the aspect of the fate of Russia's subjects? If England had been what she ought to have been in India, if she governed her millions as that nation ought to know how to do, which is the most enlightened in Europe, and has been for the longest period free, it would be for the Russians to tremble at coming in contact with them. They would be solicitous to fortify the passes of Tibet, to render the deserts of Bucharia impenetrable, so that not a solitary Russian should learn what safety, prosperity, knowledge, and happiness the subjects of England enjoyed; and that the Russian empire should not crumble to pieces at the very touch of the talisman of liberty. For my part, I shall rejoice at this danger if it threaten the Company; for it is a proper advertisement to the people of England to give India a legal, ameliorating, and protecting government; it is a fit notice to them that they should suppress this association of merchant-sovereigns, which is a reproach at once to their good sense and their good faith; which impoverishes them to ruin their subjects, and which completes their corruption in corrupting the millions which obey them.

M. de Sismondi appears in this passage to have abandoned that tone of moderation which he preserves elsewhere. If he had been deported from the Company's territories, or was smarting under the wrongs which the charter inflicts upon the Liverpool merchants, he could not manifest a more acrimonious or vindictive spirit. We have charitably supposed that his evident ignorance of the real circumstances of British India has exposed him to be made the egregious dupe of the writers to whom we have alluded; and we, therefore, forbear to visit his intemperate declamation and groundless calumnies with the severity they would otherwise deserve.

Recovering from his transport, M. Sismondi contends that not merely ought morality to govern politics; but no individual, in whom the world has admired a character of true greatness, has wholly overlooked this fundamental rule. Although war, he observes, is inhuman in its nature, and produces much private ill in order to attain a universal good, yet morality is seen amidst many of its details. Even those great politicians and great generals who were most steeled against the mischiefs which they occasioned, and those who, in order to cause more ill to their adversaries caused much to their own partizans, have soothed their minds and pacified their consciences by "some grand moral idea;" and if they deceived themselves, it was in supposing that the end justified the means. He then concludes with a kind of encomiastic tribute to Bonaparte, who believed to the last, he says, that he acted upon the principle of securing the greatest possible good for the greatest number!

There are some sound and excellent sentiments, and many shrewd and sensible remarks in this essay, which is, however, somewhat infected with the vices of the Bentham school.

## THE ORIENTAL TRANSLATION FUND.

*To the Editor of the Asiatic Journal.*

SIR : The establishment of the Oriental Translation Fund is an event which is regarded by all lovers of literature with the most lively satisfaction, not only because it bids fair to render familiar to the reading population of the West the rich stores of Eastern learning and genius, hitherto locked up in languages known only to a very limited number of Europeans, but because (as stated in p. xxxii. of the Report contained in the Appendix to Part i. of vol. ii. of the *Transactions* of the Royal Asiatic Society) " it is also confidently expected that many copies [of the translations] will be bought by learned natives of India, who may be either *desirous of learning English*, or of possessing texts of standard oriental works, free from the errors which often abound in manuscript copies; and it, therefore, offers a reasonable prospect of spreading more widely our own simple and copious language, amongst a people certainly capable of contributing new riches to its already unrivalled literary stores.

This satisfaction is, however, I regret to say, not unalloyed. One of the regulations for the Translation Committee runs thus :—" These translations are to be generally printed in English, but in peculiar cases may be printed in Latin, or *French*." This rule appears to me to have been framed without a due consideration of the consequences to which it must lead. What other can be its effect than to assist in spreading the language of our rivals in the East, from which we of all others should most labour to exclude it? Are we insensible of the advantages they derive from the wide spread which it has already obtained, that we thus put arms in their hands to extend it still farther? Are we ignorant that the Romans acted upon the principle of rooting out every other language from a conquered country and establishing their own, as the surest and easiest method of securing the duration of their sway; and that this practice has been justified by experience?

I am aware that it has been for some time past a prevalent fashion to act upon the notion, that every body is or ought to be acquainted with the French language. Our magazines, our novels, nay, our books of travels, are deluged with French quotations. I have even had the pain of reading in the *Transactions* of the Bombay Society, articles written by its worthy vice-president, Colonel Vans Kennedy, in which that gentleman had been so ill advised as to quote whole pages in that language, from the translation of Niebuhr's travels (originally published in German), as if our neighbours' version of it were too sacred to admit of being cited in any other than the actual words.\* I have also read (and I read it with no feelings of pleasure) more than one page of French in the *Transactions* of the Royal Society itself, where English would have been the proper medium of conveying the information. I am aware, I repeat, that it is considered a bounden duty, by many of our writers, for every one to understand that language; but I would beg leave to ask them, whether they expect that it will continue so for another century? I cannot help thinking that at the end of that time our own will perhaps have superseded it, and our

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\* Colonel Vans Kennedy is somewhat eccentric in his quotations. We have seen that he quotes from a French translation when he ought to have given the original German or his own English. What will be said when it is found that he extracts not only Latin but Greek without a word of explanation, and cannot himself read a line of Hebrew? It must be confessed that his display of learning savours somewhat of pedantry.

descendants will bestow many an exclamation of surprise on the incredible folly of those who, writing in one language, always take it for granted that their readers have a complete knowledge of another. That this idea of the downfall of its popularity is not altogether absurd is, I think, pretty well proved by the fact, that about two centuries ago Spanish was, what French is now, the language universally spoken by courts, and understood by the learned. Our ancestors were, however, rather wiser than ourselves. We do not find, in their works of science or of erudition, an accurate acquaintance with Spanish required as a necessary accomplishment. They foresaw that many would hereafter wish to read English books, who would not know a single word of any other tongue; and they acted accordingly.

But, even supposing that we ought ourselves to be excellent French scholars, for what reason do we wish to make oriental men of learning the same? Is it not a wilful contempt of our own language, which is infinitely superior in strength, force, beauty, copiousness, and every other merit, to the weak, anomalous, and bounded one, we thus endeavour to advance above it? Is it not a wilful attempt to retard the progress of our own language, justly dear to every true Englishman and lover of his country? Is the French language better adapted than our own to oriental translation? It cannot be; because our language, compared with the French, is, as Dryden says,

Like an ample shield,

That takes in all and verge enough for more.

Our copiousness is such that we can furnish every French expression with an adequate counterpart, and furnish many which they can never render.

Is it because translations are expected from French scholars, who are not sufficiently acquainted with English to write in it? Even in this case, to publish in French is not necessary. The translation may be itself translated, and will in adequate hands lose no force in the transition. Besides, are there not German, nay, Swedish and Danish scholars, in the same predicament? Let this plea avail, and the Oriental Translation Fund may publish translations more unintelligible to ordinary English readers than the originals themselves.

Far from giving any admission to French, that language ought to be more sedulously rejected than any other whatever. Our own, becoming every day more known and studied on the Continent, is on the right road to depriving it of its boasted supremacy, as being the universal language of civilization, and to take itself possession of the vacant throne. In this arduous struggle, it is of the utmost importance to offer no advantage to our adversary, and one of the strongest positions that we can assume is to make our language the great depository of translated oriental literature. Not only should French never be made the medium of the versions of our Fund, but it should be expelled by vote from the *Transactions* of all our learned societies, and should never be quoted without an accompanying explanation. I hope never to see a new edition of the *Asiatic Researches* without a full and complete rendering of the French inserted in it.

Of Latin I have not to say so much. In versions from the Sanscrit it is undoubtedly useful, as being more suited for a literal rendering than any modern tongue; but even these ought to be always accompanied with as close an English translation as possible; and in Arabic, Persian, &c, no consideration ought to exclude our own language. I am sorry to hear that the inscription on Bishop Heber's tomb, at Calcutta, is in this tongue; surely our own was more appropriate, and likely to be better understood. The difficulty of learn-

ing Latin forms also a strong objection to contributing further to the necessity of its study, already rendered too necessary by the folly of our ancestors, in adopting it in legal proceedings, &c. instead of their native tongue.

I hope, Mr. Editor, that even if some of these hasty observations are found objectionable, you will not decline to favour me by inserting them. I know that they are the sentiments of a great number of individuals who feel an interest in the prosperity of the Oriental Translation Fund: if they had merely been my own, I should have shrunk from obtruding them on your attention. And being the sentiments of so many, it is advisable that if they be erroneous, they should not be prevented from seeing the light, but be given to the world and fairly answered. If it can be satisfactorily proved that they are unfounded, no one will be more delighted than

March 7, 1829.

Your constant reader, A. C. C.

\* \* We do not concur in the objections raised by our correspondent: we can easily conceive that "peculiar cases" may occur, in which the Oriental Translation Committee would exercise a sound discretion in printing the translations in Latin or French.  
—EDITOR.

### A TURKISH COFFEE-HOUSE.

M. Fontanier, formerly a pupil of the Normal school, at Paris, who had been travelling in Georgia, Persia, and Turkey, communicated, at a recent meeting of the Geographical Society of Paris, some particulars of his travels in the latter country, of which he is preparing a narrative. We subjoin an extract relating to the conversation which passed at a coffee-house at Sapanja (or Subanja), on his road to Constantinople, respecting the suppression of the Janissaries, a whole troop of whom had been just brought in disarmed, and designed for capital punishment.

Four or five Turkish travellers, separated from me by a wooden balustrade, which divided the divan of the room into compartments, listened to what passed with perfect indifference, smoking all the time with imperturbable gravity. At length, one of them addressed to me the same questions which my host had asked, and which I had been asked often before, namely, "Where did you come from? Where are you going? Have you a *teskuri* or passport? Have you much money? Are you a spy?" The answers required only an effort of memory and patience on my part. Had there been twenty querists, I should have only had to repeat the same answers twenty times. The interrogatories ended, I offered him coffee, the infallible method, in this country, of establishing good understanding and hospitality. I inquired what had taken place at Constantinople. Our host raised his head, and without ceasing to attend to his coffee and his fire, began: "My soul! Sultan Mahmoud, our lord, will have janissaries no longer then! What will become of us, if the pachas and grandees are able to eat us as they like? We must all fly; we must become Kurds. Our rayas are now all agog; but they must still pay *carash*, *ispensh*, and *meercee*; their taxes will be increased; nay (God protect us from it!) perhaps even Musulmans will have to pay them. God knows if these changes are for the better! But the chief of the Muscovite dogs has taken advantage of this opportunity to revolt against the son of the slave (the Grand Seigneur), because he would not make him a king, any more than his brother, Constantine the drunkard. The six other infidel kings have also revolted; they will pay tribute no longer, and they will force the true believers to chastise them. Sultan Mahmoud has become an infidel; he adopts the customs and the habits of infidels; they say that he is about to establish quarantines, as if there was no longer such a thing as predestination. It is that dog, that son of a dog, Mehemed Ali Pacha, who has suggested all this. God grant that his eyes may burst!" "Inshallah! Inshallah!" exclaimed in chorus all who were present: after which they relapsed into their habitual abstraction.



## THE METEMPSYCHOSIS.

CHAPTER II.—*The Hebrew Slave.*

My next human existence, which succeeded the former without an irrational interval, was—can I doubt it?—designed as a punishment to me. The soft and indolent habits of a Median voluptuary I was doomed to exchange for the bitter lot of slavery; and in order that I might feel more acutely the severe contrast, I was fated not to be born a slave, but to be torn from my domestic ties and carried into bondage in a foreign land, amongst a despised and half-enslaved people. My person, alas! how changed! Instead of a clear and delicate complexion, heightened by the aid of cosmetics, I was condemned to wear that unalterable ebon hue, which, in most ages of the world, has been the mark of contempt and ridicule to all but those who are born with it: my hair no longer descended in shining ringlets upon my shoulders; it was short, crisp, and harsh. In short, I was exactly the reverse of my former self, in person, in circumstances,—happily too, in morals.

I was born in Ethiopia, at a place called Napata, which, although scarcely a record of it now exists, was once a great and noble city. I have scarcely any distinct knowledge of it, for my father was a merchant, and therefore constantly moved from place to place, sometimes visiting foreign countries. His family accompanied him in all his expeditions, which was the custom amongst Ethiopian traders. Our camels and asses were loaded with articles for traffic, (which was wholly managed by barter), except a few of the former, which carried the family and servants. My sire was a man of rigid integrity and the most punctual accuracy; his manners were like those of the country in general, extremely simple; although we trafficked with the whole eastern world, which our merchants supplied with many of its luxuries, the Ethiopians were uncontaminated with the vices even of their near neighbours. I well recollect the striking difference betwixt the Egyptians and our people at that period, in respect to manners; they were more refined, but they were vicious; they excelled as infinitely in all the arts and embellishments of polished life; they were our superiors too, in craft, cunning, and knavery. I perfectly remember an instance of their treachery. My father once parted with several bales of frankincense and spices to an Egyptian, who hypothecated his father's embalmed body for the due fulfilment of a written contract, which stipulated that a proportionate quantity of fine linen made of a flax called *byssos*, prepared papyrus leaf, some horses, and other articles, should be delivered at his succeeding visit. The practice of pledging a relative's body on these occasions was very common; the lender was perfectly satisfied with the security, because it was not only sacrilegious in the sight of heaven, but punishable by the law of Egypt, to leave such a pledge unredeemed. When my father returned and claimed the performance of the engagement, however, the Egyptian laughed in his face. In fact, the pretended mummy was made of clay, and the papyrus, owing to its having been moistened with some corrosive liquor, was found reduced to a powder.

Of all the places which I visited in Egypt, I was most astonished at the appearance of the great Memphis, situated at the apex of the Delta. It was crowded with temples, pyramids, and obelisks, all bearing inscriptions in the occult character, or form of writing, understood by the hierarchy of Egypt alone. The dense population which thronged its streets, the busy occupations in which many were engaged, brought to my mind the image of a vast colony

colony of industrious ants, which the swarthy complexion of the people rendered the more accurate.

At the period of which I speak, Egypt was in a state of political agitation. Amasis the Great, as he was called, was dead, and the country was threatened with invasion by Cambyses, the successor of Cyrus, who had nominally subjected this country just before his death; that is, he formed a treaty with Amasis, by which the latter acknowledged the superiority of the conqueror of the East, but submitted to no other marks of subjection.

The history of Amasis is remarkable. He was a general under Hophra, or Apries, the preceding monarch of Egypt, a weak and cruel prince; and during the confusion occasioned by the terrible invasions of the Babylonians (who, under Nabuchodonosor, committed dreadful ravages throughout the country), he seized upon the throne and firmly established himself there. He was a person of obscure origin, and this circumstance seemed, in the opinion of the superstitious Egyptians, to outweigh all the merits he derived from his valour, his acknowledged services to the country, and his numerous virtues. The expedient which he employed to efface from their minds the lurking prejudice against him, arising from such a source, was singular and characteristic of a mind strong in itself and sensible of the weakness of those with which it had to deal.

The king was in the habit of performing his daily ablutions in a large vessel of gold. This vessel he caused to be melted down, and recast in the form of an Apis, which he placed in a splendid temple. The people flocked to the new deity; they admired the statue, and no shrine in all Memphis enjoyed so much renown, or attracted so many votaries, as that of the new Apis. Amasis soon after assembled the people, and declared to them what had been the original shape and use of the material now transformed to a deity. His hearers made a speedy application of the moral; their sentiments with respect to their sovereign were turned into a more respectful channel, and perhaps no king, posterior to Rameses the Great, ever attained a higher degree of honour and glory amongst his subjects than the once despised Amasis.

The death of this monarch took place at an unfortunate juncture. Cambyses had commenced his invasion immediately on his succession to the throne of Persia; but he made little progress in the country till the sudden decease of Amasis depressed the spirits of the people. The Persians gained a battle; they pursued their advantages; they besieged Memphis, and the son of Amasis, Psammenith, surrendered the city, and with it all Egypt, to the conqueror, on condition that his life should be spared, Cambyses being extremely exasperated at the massacre of a Persian grandee, whom he had sent to Memphis to summon the city to surrender.

The invader was not content with his conquest of Egypt; he soon after planned that of Ethiopia. This was the earliest symptom of that folly or madness which distinguished the latter portion of his life. With few other preparations, save the congregating a multitude of men, Persians, Medes, Egyptians, Greeks, and others, he advanced into a desert country, where part of his army was destroyed by pestilential winds and moving sands, and part by absolute famine. He returned from his fruitless expedition with scarcely any troops, but full of rage and mortification, which he vented upon Thebes. This superb "city of the Gods" was barbarously plundered and fired by Cambyses, who indemnified himself for his losses in Ethiopia by carrying off treasure to the value of several millions sterling.

It happened that when the invading army was on their return to Egypt, our family

family was on its way to Napata. We had heard of the Persian inroad, and of the contemptuous defiance returned by our prince to the pretended ambassadors of Cambyses; but we did not expect to encounter the enemy in the desert track along which we travelled. Unhappily, however, we fell in with the retreating army, enfeebled by hunger, thirst, and disease. We were surrounded by the famished soldiers; all the commodities we had which could be converted into aliment, disappeared in an instant. Our animals were slaughtered and their blood was greedily sucked, amidst much struggling and fighting. We were forced away with the army, and at the first convenient opportunity sold as slaves.

I never could learn the exact fate of the rest of my family; I became the property of a Hebrew merchant, who had come to Thebais, and was about to proceed to Jerusalem. This was in the year B.C. 523.

My master's name was Jeshua; he was of the tribe of Judah, but so greatly had the Babylonian conquest impaired the institutions and changed the manners of the Jews, that he bore few of the distinctive marks of that people; he was, however, a Jew in heart. My knowledge of commerce, though I was still young, became of great service to this merchant, who, as we journeyed from Coptos to a port on the Red Sea, or Gulf of Egypt as it was called, drove a petty traffic with several places on both coasts. We disembarked on the western side of the gulf of Elath, and travelled by land through Edom, visiting Mount Horeb in the way, to Palestine.

Jerusalem at this period was a lonely place, exhibiting but the faint traces of antecedent splendour amidst the ruins of the city and the temple, which had been totally destroyed by the troops of Babylon. Some attempts had been made by the rulers of the people to re-construct the wall, repair the edifices, and re-build the temple; but the jealousy of the Persian monarchs, to whom they were tributary, had restrained them. In the midst of their calamities, the Jews deeply deplored the corruptions of the vulgar, owing to their adoption of foreign customs, acquired during their long captivity. They had married Assyrian women, addicted themselves to the false worship practised in eastern countries, and were in danger of losing all those characteristics which honourably distinguished the Hebrew people amongst their pagan contemporaries. Still they clung with affectionate delight to their holy places and to the traditionary recollections connected with them, for the majority of those who came to Jerusalem, after the decree of Cyrus, had never seen it, having been born in the land of bondage. I have often listened with a melancholy sympathy to a strain pathetically warbled by the Hebrew youths and virgins, seated upon the prostrate columns of the temple, or upon a block of the ancient wall of Jerusalem, which they moistened with their tears. It was this:

By the rivers of Babylon we sat down, and wept as we thought upon Zion: we hung our harps upon the willows by their side.

They that had made us captive asked of us a song; they that had laid us in heaps solicited us to mirth, saying, "sing us of the songs of Zion."

Alas! how could we sing a song of Zion in the land of a stranger?

O Jerusalem! if I forget thee, may my right hand forget its power! Let my tongue cleave to my palate, if I do not praise Jerusalem above the head of my joy.

My master remained for a short time only in Palestine, having determined upon a trading journey to remote parts. He expressed himself highly satisfied with me, as I, on my part, was attached to him, and he declared that, if he continued equally pleased, at the end of six years, he would deal with me as

if I were a Hebrew, that is he would liberate me the seventh year. He gave me the name of David, which in the Hebrew tongue signifies "beloved."

We travelled first to Joppa, the sea-port of Judea, which was a place of some trade. Here we went on board a vessel bound for Tyre, as it was called by the Greeks; its true name was Tor, or Tsor, a Phœnician word, signifying "rock." This celebrated city was then in the height of its splendour. I shall therefore give a short account of it.

Old Tyre, which had been destroyed by the Assyrians under Nabuchodonozor, about fifty years before this period, was situated upon the continent of Syria, about ninety English miles from Joppa. New Tyre was built upon an island, separated from the main land by a strait of less than a mile in width. The island was of no great dimensions; but it was covered with edifices surrounded with a lofty wall, built with huge blocks of stone. Landing at a mole, which stretched a considerable distance into the sea, and defended the port, we entered this wonderful city under a lofty arch. Its aspect within the walls was grand: the houses were extremely high, which was unusual in this part of the world, where earthquakes are by no means rare; and they displayed a degree of taste and richness in the architecture and decorations, which, added to their skill in the sciences, justified the Tyrians in claiming for their city the title of "Queen of the Arts." The temples were magnificent. The chief was dedicated to the god Hercules; it was not only of the most delicate and costly workmanship, but was filled with rich votive offerings, one of which was a pillar of the purest gold of Ophir; another was an emerald of such a prodigious size that it resembled a little obelisk. Another splendid fane was consecrated to Jupiter, another to the god of day, and a fourth to the queen of heaven, Astarte, as she was called by the Sidonians, or the celestial virgin, the favourite deity of all the Phœnician race. The interior of the private edifices was sumptuous beyond the power of language to describe; superb tapestries, and costly stuffs of silk, purple draperies and fine linen dyed of the same brilliant colour (which no modern tint can reach), and scarlet of unrivalled brightness, adorned the walls or partly hid the rich marble floors. Glass vessels, of every variety of size, shape, and colour, sparkled in each apartment, which resembled a magazine of crystal; gems of every hue seemed to rival the sun during day, or supply its absence at night; whilst the fragrant scent of cinnamon, of aromatic myrrh, and of aloe-wood, was wafted, like the balmy breath of an Indian grove, upon the wings of the grateful breeze, throughout every dwelling, and perfumed the very streets. The principal merchants of Tyre resided in palaces, and were clothed in vestments which no monarch would have disdained to wear: they were, indeed, scarcely less proud than kings.

Perhaps the most remarkable sight to a stranger in Tyre was the prodigious variety of nations assembled there, presenting a contrast of complexion, of costume, and of manners, probably never witnessed, before or since, even in great commercial cities. Here were seen natives of Greece, of Spain, of Britain, of Italy, of Arabia, of India, of Persia, of Asia Minor, of Assyria, of Palestine, of Armenia, of Ethiopia, and a multitude of others whom I was totally unacquainted with; some of these were nearly naked, others were oppressed with a load of ornamental clothing; some were black, others fair; some were of robust and sinewy make, others slender and delicate. Their languages being different, the dissonant noises heard in the streets were painful to the ear of a stranger.

The remains of old Tyre formed, as it were, the suburbs of the new city: thither,

thither, after satiating our curiosity in the latter, we proceeded to seek a residence, for no accommodation could be found for a humble Hebrew trader in the luxurious mansions on the island. The connexion which had subsisted of old betwixt the ancient Tyrians and the Jews, and the common fate their capitals had shared at the hands of the impious tyrant of Babylon, were not forgotten by the inhabitants of the old city, where we experienced a hospitable reception.

Along the margin of the sea, betwixt the old city and a town called Ake, the shore was covered with a peculiar vitreous sand, of which the Tyrians manufactured their glass vessels, which, as I before observed, were of a most beautiful kind, rivalling crystal itself in delicacy of texture, and which they had a peculiar skill in colouring. It has been supposed that the art of making glass was not discovered till long posterior to this period. This is a mistake; the art, however, was, I believe, confined exclusively to the Tyrians.

The extent of the commerce of Tyre was surprizing; its mariners were the most skilful and the most fearless in the world. Of the sciences connected with navigation, such as arithmetic and astronomy, the Phœnicians were for a long time the sole depositaries; they jealously kept other nations in ignorance of the means whereby their commerce was carried on; and it was the custom amongst their mariners, if they fell in with a vessel belonging to any other nation, to get rid of her as soon as possible, which was easily accomplished during the night, when the Phœnician navigators could sail by the stars, whereas other mariners were accustomed to cast anchor at sunset, not daring, even though close to the shore, to risk a night voyage.

I fell into company with a Phœnician seaman, who astonished me with the account he gave me of one of his voyages. He had sailed from Tyre to one of the ports of Spain; he then passed the pillars of Hercules, circumnavigated the whole coast of Africa, visited India and Persia, and concluded his voyage at the port of Elath, or Ælan, on the Red Sea, where his vessel was found to be damaged; the cargo was therefore unladen and conveyed, through the country of the Edomites and Judea, into Phœnicia. Four years were consumed in this voyage. The mode of trading with the unknown people on the coasts of the countries which the vessel touched at on her way, he described as follows:—When they came to a place which seemed adapted to furnish articles of profitable traffic, they entered a convenient creek or harbour, and made fast the ship to the shore. They then landed such commodities as seemed suited to the demand of the people, and exposed them in a conspicuous manner, to enable the natives to see and judge of their use and quality. They then lighted a fire with damp grass, and other materials that would cause a high column of smoke to ascend, which gave notice to the inhabitants of the interior, who came down to the spot, and laid beside the goods, such merchandize as they were willing to barter for them. If the Phœnicians were content with the exchange, they took what was offered and departed, leaving their own articles; if the amount was deemed insufficient, they touched neither, when the natives added to their offer till the amount was considered adequate. In this simple manner was commerce conducted, without the intervention of language.

From Tyre we sailed, with an adventure to Egypt, which country was entirely supplied by foreigners with the exotic commodities required for its consumption. Although some of its princes were favourable to commerce, and undertook great works adapted to promote it, the Egyptians rarely ventured themselves to sea. They admitted foreign traders, moreover, into one

one of their ports only, namely, Naucratis, situated at one of the mouths of their great river, near the city of Canopus. Thither we sailed, in a Phœnician vessel, the shipping of this country enjoying sundry immunities from the Egyptian government. Our merchandize consisted of gums, fragrant woods, Tyrian cloths and stuffs, with a few articles of glass, which was a dangerous commodity for speculation, the cost being great and the risk of damage considerable. By the medium of a Tyrian confraternity or company, settled at Naucratis, we speedily exchanged our goods for fine corn, flax, papyrus, honey, and some medicinal drugs. We took shipping again in a Cretan vessel, bound to Candia, from whence, after bartering some of our goods for oil and wine, my owner intended to proceed to Sicily, and thence to Spain, in order to purchase metals, of which the latter country was then the great emporium.

We accordingly entered the Cretan vessel; but no sooner had we loosed anchor than I could perceive how rude and unskilful were the mariners in comparison with the Tyrians. The ship was badly constructed, and ill-ballasted; it rolled from side to side, frequently admitting the element even with the least ruffle of the surface. The master and crew, we found, had made a solemn vow to Jupiter that they would sacrifice an Egyptian ram (which they had on board) at his altar, if they returned in safety to their port; and they therefore gave themselves little concern about the conduct of the vessel. If these Cretans were fair samples of their countrymen, they must have much degenerated from their forefathers under Minos; they were lazy, dirty, greedy, and such gross liars, that I soon discovered that not a single statement they made could be implicitly relied upon; the only merit they possessed was taciturnity; they slept more than they talked.

For the first two days we crept along slowly, the wind, though favourable, being weak. Jeshua, my master, recreated himself with the perusal of some ancient chronicles of his people, which told of the benefits conferred upon them by the Almighty in times of old, and of the miracles wrought in their favour. Sick of the society of the Cretan mariners, who seldom opened their lips to any good purpose unless they uttered some saying of their poet Epimenides, who was reputed to be one of the sages of Greece, I joyfully accepted the proposal of my master to hear him read a portion of his sacred writings. The narrative of the sufferings, the triumphs, and the wilful rebellions of the Hebrews of ancient times, in spite of the extraordinary forbearance of the Deity they worshipped, filled me with astonishment. I could not help regarding this people as a peculiar branch of the great human race; and my surprise at their degradation was at the same time lessened when I considered their pertinacious resistance to their Benefactor.

In the midst of this pleasing engagement, in which I felt the more delight, because I perceived that my interest in the history of his race imparted to my kind master much pleasure, a loud shout was heard from the crew of the vessel, which was instantly followed by a violent shock. We started up, and found that the ship had struck upon a sharp rock, which was plainly visible to the eye, had not the sailors been blinded by their indolence and superstition. The vessel rolled backwards and forwards; the master was aghast; his crew, in tears, were standing still, exclaiming "*Zeu! Zeu! Pater!*" but shewed no inclination to endeavour at getting the vessel off the rock. Jeshua rushed towards the side of the ship in order to ascertain what was to be done; I followed him. At that moment the vessel swung off the rock; the jerk flung him into the sea, and in the eddy formed by the giddy motion of the ship, he was in danger of being engulfed. Duty, gratitude, humanity, together impelled

pelled me; and whilst the selfish creatures looked on with a vacant smile, I leaped, though I could not swim, into the briny wave, calling on the seamen to extend an oar. They did so slowly, and I supported my master till he reached it, when letting go my hold, I sunk, the benevolent Jeshua's cry, "save him! save him!" dying on my ears. It was too great an effort for these wretches to lift an arm to save a despised negro; and thus I fell a victim to my successful exertions to preserve the life of my purchaser. My fate was far sweeter than has been that of many of my countrymen in after times: I died for a master whom I loved.

## VINDICATION OF MR. WEDDERBURN OF BOMBAY.

THE following answer to an article which appeared in the *Oriental Herald* was forwarded to the conductor of that work about the middle of last month. No notice whatever having been taken of it by him, we readily, in justice to the gentleman who is the subject of the article referred to, give it a place in this journal.

To J. S. Buckingham, Esq.

Sir: By the March No. of the *Oriental Herald*, which has just reached Bombay, I perceive that you have at length done that, which I have always hitherto maintained, against your enemies, you were, amid all your backslidings, incapable of,—you have *slandered* Mr. Erskine! That you should not have been forward in his defence, I certainly did not consider much to your credit. Yet still, remembering your circumstances, and how certainly in this world independence is left to be its own reward, I could make allowances for the entanglements that tied your tongue; but, I confess, I did hope that if it were unloosed it would not be to join in the attack.

Not satisfied, too, with throwing one friend and benefactor overboard, you think the opportunity a good one to have a fling at another, for what else could have been your motive for introducing Mr. Wedderburn's name to the public, as the supposed author of a "very lame defence" \* of his friend, even if it had been true? But if it was not his "production," if not a single line, not a single word (except one short note), was his, what is to be said? Oh, that you had it from authority on which you could rely. Yes; the same sort of authority on which you have relied for the ten thousand other "inventions," † that deface and disgrace the pages of the *Herald*.

You allude, indeed, to "provocations" received; but, if neither Mr. Erskine nor Mr. Wedderburn, directly or indirectly, by word, deed, or information given, up to the appearance of the *Herald* for March, ever sanctioned any attack upon you, on what principle were they to be held responsible for what others, who conceived themselves aspersed by you, might say or do, in the way of recrimination? If you will persist in scattering dirt on all around you, you must expect some to be thrown back in return. What these gentlemen did for you, was not done in a corner, and they could not prevent your adversaries from employing their knowledge of it for their own purposes.

I also

\* That you really supposed him to be "*Vindex*," I cannot for a moment believe. Yet, it is not a little curious that you, a critic by profession, should not at once detect the style of a practised writer, both in his letter and the "case." Both are, in fact, the productions of a gentleman almost as superior to you, as to him, in literary qualifications.

† It is useless, at the distance that separates us, to employ a harsher term, although I observe you to be sufficiently liberal of your epithets in similar circumstances.

I also learn from the same No. of the *Herald*, what, from not being a very diligent reader of that periodical, I was before unaware of; namely, that this is not your first endeavour to injure the latter gentleman in that publication. I call it "to injure him," because your attempted explanation and apology plainly proves that you yourself also view it in this light. From it I learn, that you "permitted it to be inserted," and asserted in the *Herald*, that he, as accountant-general, still continued to hold a share in the *Bombay Courier* concern, "contrary to the express orders of the Honourable Court;" and, as it appears to me, even by your own shewing, to be more than insinuated, that he was not unlikely to take advantage of his double capacity, although in what way it was to be done is not very clearly indicated, to defraud the Company. Now as to the "assertion" it was simply *not true*, as he disposed of his share (at a very considerable loss) within the period prescribed by the Court's orders; and as to the "insinuation," although you knew pretty well that he was not very likely so to act, your readers could not; and it would, therefore, methinks, have been but a friendly, not to say an honest, part, to have appended a note, in your own name, to that effect, leaving the imputation of his having placed himself in a situation where his interest and duty were at variance as before. Even Cato himself could hardly have censured such a sacrifice of "public duty to private feeling." But no; that would not have answered your purpose.

With the view of obviating the possible charge of ingratitude for such conduct, you set out with a statement of what you conceive to be the extent of obligation you owe to Mr. Erskine and Mr. Wedderburn. Now, although the world in general are commonly disposed to consider such benefits, as they conferred upon you, as involving a very deep debt of gratitude, I am not sure that either of these gentlemen ever rated them much more highly than you seem yourself disposed to do; still, when you undertook to state their amount, you ought to have been more correct in your enumeration.

No one could know or even suspect, from your account of them, that they had received you, on your first arrival in Bombay, a perfect stranger, and on a very slight introduction, into their house, and entertained you for months,\* while endeavouring to procure you some profitable employment here, and until the governor compelled you to quit India, on which occasion you received from them the "loan" of £150,—the sole obligation you acknowledge; and you might have added, without the most distant expectation of repayment.

Still less would it be discovered, that they had again received and entertained you for months,† on your return, supported you in society, in which it cannot be denied that the levity of your conduct and your pretensions rendered you unpopular; and stood your friend—aye! when it seemed infamy to be so; when the letters of your quondam friends and benefactors, Mr. Peter Lee, of Alexandria, and Shekh Ibrahim (Mr. Burckhardt), particularly the "paper" of the latter. "on Buckingham,"‡ and which had been spread over half the East, arrived, warning all those to whom they were addressed, and through them the public in general, against your "impostures;" and in which the

terms

\* Namely, from the first week in April to the last week in June 1815.

† Namely, from January to June 1817.

‡ This "paper," as you well know, entirely alienated Capt. B\*\*\* from you, who had first brought you to Bombay from Judda, and who was also instrumental in procuring for you the command of the *Humaton Shah*.



terms "liar," "swindler," and "villain," as applied to you, were of such frequent recurrence, as to appear mere common-place.

That such accusations should stagger Mr. Erskine and Mr. Wedderburn, under whose roof you were then residing, is not very surprising; and they did stagger them. They knew nothing of you but what you yourself had thought proper to tell them, and you had always represented Messrs. Lee and Burckhardt, the former as your patron, and the latter as your friend. But they were unwilling to believe it possible, that a person of such evident ability, and, apparently, good dispositions, could be guilty, at least to the extent alleged, of the acts of fraud and falsehood therein laid to your charge; and above all they thought it would be cruel, having once taken you by the hand, to abandon you in the hour of your distress. Had they pronounced the words "go forth,"—and that they were not pronounced, as you doubtless are aware, you are rather indebted to Mr. Erskine than to Mr. Wedderburn,—where would you have been now?

It was on the occasion of this second visit, when, by a second failure of your errand, you were again thrown on the world, that their interest, united with that of another friend, actually procured employment for you in the shape of the command of a large vessel belonging to this port, in which you made a voyage to the Persian Gulf; and on your return from thence, again did they receive and entertain you until your final departure for Calcutta;\* when, at your earnest and reiterated solicitation, Mr. Wedderburn unwillingly gave you an introduction to his friend Mr. C\*\*\*\* there,—and a curious one it was.

The reason of his unwillingness may readily be conjectured. Although he had a right, if he chose, to incur the risk of having harboured an "adventurer" himself, he had none to impose it on another; and he knew that a single line from him was a passport to the heart of his friend. He could indeed have introduced you by one letter, and warned him by another; but he scorned such double dealing, which might have satisfied you that he was not likely to say that behind your back, which he would not say to your face.

He accordingly made it a condition that he should be allowed unreservedly to state the suspicious circumstances in which you stood, and the extent to which his own doubts went. To this you submitted, and the letter was written; and, such as it was, it gave you, if I am not very much mistaken, that credit that enabled you to establish the *Calcutta Journal*, and to lay the foundation of that "splendid fortune," which you may flatter yourself you sacrificed to your principles, but which no one who really knows you can ascribe to any thing but indiscretion and a miscalculation of consequences.

As to the "independent intercourse" that you afterwards maintained with Mr. Erskine and Mr. Wedderburn, I can learn of none on the part of the latter, except his receiving occasional letters from you, both from Calcutta and afterwards from home, connected with your interests and the promotion of the circulation of your publications here; and which, though he never neglected them where he could be of any service, he very seldom answered. From Mr. Erskine, I believe, you met with more attention, for he had either higher hopes or fewer misgivings with regard to you.

Mr. Wedderburn's intercourse with you was always accompanied "*cum grano salis*," with a spice of reserve, which you cannot have forgotten, and probably never have forgiven; you noticed it, indeed, to him more than once, and

\* Namely, from about the middle of February to the middle of March 1818.

and even complained of it in "poetic numbers." As the lines may have escaped your memory, you will find a copy in the margin.\*

Perhaps as the "sentiment" no longer exists, he ought, as is usual in such cases, to return the "original;" but he trusts you will excuse his still retaining *that* as a curiosity! The fact is, that he was always haunted by doubts, which never entirely left him, regarding your real character: doubts which your recent conduct has at length fully, if not very satisfactorily, solved!

The defence of Mr. Erskine is fortunately in far abler hands than either his or mine; but assuming, for a moment, that you were in good faith in terming his defence a "lame" one; what, I cannot resist asking, did you, or could you, expect to find in "the case?" All you could reasonably expect from the "Defence" was, that it should render it quite obvious to those who knew Mr. Erskine, and in the highest degree probable to those who did not, that he was entirely innocent of every offence laid to his charge, except that of "negligence;" that he was dismissed from his situations, in the Recorder's Court, on no other ground or pretext, and that this "negligence" was the unavoidable consequence of long ill health. Nor will even you yourself deny that, in the "case," all these points are most satisfactorily established, if you will take the trouble to read it, which I verily believe you have not yet done.

Even the imputation of "negligence," on which ground alone, notwithstanding other insinuations thrown out, he was dismissed, you, who knew India, might have been of the most essential service to Mr. Erskine's cause, in explaining away. For you know well how necessarily and inevitably the details of all offices in this country are left to the management of natives, and how incurably lax and careless the whole race are, even when not positively corrupt;

\* To my most esteemed Friend, John Wedderburn.

When Flattery's burnished wings expand,  
Rich in the tints of Iris' bow,  
And Falsehood lends a lavish hand,  
To give those tints a brighter glow;  
Fly, fly the fiend, for every wreath,  
That round her flower-crowned brows are [is] twined,  
Conceals beneath their [its] honied breath  
The poison of a generous mind.

But oh! when Truth, in simple lay,  
Pure as the fount from whence she springs,  
The tribute of the heart shall pay,  
And warmly feel what'er she sings;  
Then, Wedderburn, e'en thou mayst hear  
The hispings of her artless tongue,  
Nor e'en thine own o'er-cautious ear  
Turn from the lay by Friendship sung.

Oh! were my strain but worthy thee,  
How sweet to indulge a poet's dream!  
But the poor praise that mine must be,  
Is all unworthy of the theme:  
Yet though from me the task be vain,  
Believe not that I *feel* the less;  
For gratitude itself is pain,  
When fettered by its own excess.

Thus, as of old Apelles tried  
To paint what mourning matrons feel,  
And finding art itself defied,  
Drew o'er the Grecian's face a veil:  
So be the feelings of my heart  
Velled in "expressive silence" ever;  
But oh! though coldly we may part,  
Shall I forget thee? never! never!

Sunday morning,  
during the heavy rain, at the office.

J. S. BUCKINGHAM.

rupt; and this, I confess, was the course I for some time fondly hoped you would adopt,—excusing, perhaps, the harshness of the proceeding on the ground of the inexperience of the Recorder, but entirely absolving Mr. Erskine.

Addressing you, as I do, in some degree, on behalf of Mr. Erskine and Mr. Wedderburn, I have purposely abstained, as much as possible, throughout this letter, from the language of reproach, for two reasons; one is, that they would, I am convinced, scorn to use it themselves on account of benefits no longer remembered; and the other, because I know it would be entirely thrown away, just as the phrases “kindly feeling,” “great pain,” “amiable weakness,” and “love of truth,” in your mouth, would to me, in any other cause but Mr. Erskine’s, be merely ludicrous.

Of a frame of mind by nature singularly elastic, “the present” was ever the god of your idolatry; “the past” and “the future” as nothing. In this short apophthegm lies the whole mystery of your character, and you are now, in appearance at least, a far more prosperous man, and patronized by greater names, than when you first arrived in Bombay, a houseless wanderer from the desert. You are the proprietor of the *Oriental Herald*,—the, I know not what, of the *Sphinx*, and the excellent (!) conductor, as I learn from a late number of the *Edinburgh Review*, of the *Athenæum*, &c. But then you have been a sufferer in the good cause, and that, like the mantle of charity, “covers a multitude of sins.”

Your quarrel with Mr. Elphinstone, which you may also flatter yourself to be one of principle, but which is in fact a mere emanation from your former private one with his relation, Mr. Adam, although you have conjoined them, having no connexion with the present discussion, I shall no farther advert to here, than to observe, that if he ever condescends to draw his polished weapon upon you, which has already given the “*coup de grace*” to the great object of your present admiration, take my word for it, you will find it more than a match for your tomahawk.

I am, sir, your obedient servant,

Bombay, 17th August 1828.

QUONDAM AMICUS.

### QUERIES.

The following queries, inserted in the *Calcutta Gazette*, and the answers, may afford some information at home.

What has become of the papers and journals of that late lamented traveller, Mr. Moorcroft? what subjects do they embrace? and is it probable the public will be gratified by their publication?—*A.* The papers are in possession of government.

What is known of the talents of the Hungarian traveller, Mr. De Kooroos, (some years resident on the southern face of the Himalaya,) for his proposed object of giving to the public a grammar and dictionary of the Tibetan language, and what progress has he made in that undertaking?—*A.* De Kooroos is going on with his studies.

What was the name of that English missionary who died a few years ago at Titulya, the head-quarters of the then Rungpore Local Battalion, commanded by the late Major Brennyhutter, who is reported to have made great progress in the acquisition of the Tibetan language, and what became of the numerous contributions to the Tibetan language and philology which that individual is reported to have collected?—*A.* A dictionary has been published (see p. 431 of the present number); but the papers, it is believed, were overrated.

Are any attempts now making to explore the hitherto unknown source of the Bur-rampooter river?—*A.* Not at present.

## C H I N A.

*(From a Correspondent at Canton.)*

*Canton, Oct. 14th, 1828.*—In this empire, during the past year, the attention of the government has been directed chiefly to the affairs of Western Tartary. In the spring, there was a rumour spread that the rebels were again in force, and about to attack Cashgar. It was evidently Changkihur's intention, after the recall of the main part of the imperial force, to resume hostilities; and he began to move about among his friends, in order to collect together their scattered adherents. In an unlucky hour, whilst crossing a tract of country occupied by Mahomedans, they proved false to him, and either from fear or hope, adopted the Chinese interest. By the treachery of these people, he fell into the hands of his enemies, was carried in triumph to Peking, and there, on the 26th of August 1828, put to death in presence of the king and princes of the imperial court.

His death was made as lingering and ignominious as possible; being cut to pieces by slow degrees. His heart was plucked out, and given to two young men to offer it in sacrifice, in order to appease their fathers' manes; they having perished in the war.

The king of Corea has sent an envoy to congratulate his imperial majesty; and numerous thanksgivings by the emperor, his brothers, sons, &c., have been offered to heaven, to the gods, and to the ancestors of the imperial family, for the signal triumph of the imperial arms.

Many have been put to death who took part in the rebellion; and their houses and lands have been confiscated. The kindred of Changkihur (or Prince Jangheer), who were in China, have been sent individually to the southern provinces of the empire, to Yun-nan, Kwangtung, &c.; there to be shut up in prison till they die, to be denied the use of pencil, ink, and paper, and to be cut off from all intercourse with human beings except their keepers. The wives are separated from their husbands, and the children from their parents, and given to the military to be slaves. Changkihur is said to have behaved with great fortitude from the time of his capture till his death, and to have spoken with great boldness to the emperor himself, when his majesty descended to the gate of his citadel to sit in judgment on the rebel. Changkihur flung back the term "rebel," and said he fought to recover the inheritance of his forefathers.

After despatching Prince Jangheer, his imperial majesty's attention has been directed to lavishing titles and honours on Changling, the commander-in-chief during the late war. Duke Changling is now minister of state for the frontier dependencies. Considerable changes and improvements in the government of Little Bucharia have been suggested and adopted. The late governor of Peking, Nayenching, is imperial commissioner at Cashgar. The walls of Yarkand are to be re-built, and the city is to be enlarged, from the funds raised by confiscated property belonging to the rebels. Similar improvements are to take place at Cashgar also.

Proud China appears to have its "heart hardened in pride" by these successes. The rulers and people seem more haughty than ever. A great authority has declared that "pride goeth before destruction." What the result of these things will be heaven alone knows.

The

The following document will shew the opinions which a pagan government entertains of the Christian merchants who visit China :

Public Proclamation, dated Sept. 11th, 1828, concerning the intercourse of Hong merchants and foreigners.

*Lo*, the governor, with *Yeu*, the hoppoo, hereby issue a proclamation to interdict strictly certain proceedings.

This place is the resort of foreigners of various nations for the purposes of trade. Their spoken dialects are various, and their written character dissimilar to ours ; hence a difficulty in their understanding the etiquette, laws, and prohibitions of our dynasty.

On this account, security merchants and linguists have been appointed to carry on the trade. And it is incumbent on them, from time to time, to instruct and persuade these foreigners,\* and also to repress their bad disposition, and counsel them to prosecute their hearts, and be transformed (or civilized), that they may also enjoy the benefits of an universal and glorious peace ; and every one to keep within his own proper province and quietly trade.

Besides, all the security merchants are men of capital and family ; they should regard their own respectability and trade jointly, never deceiving with fictitious goods, that they may induce the confidence of foreigners.†

We have found out by inquiry, that there were formerly a class of illicit and shameless Hong merchants, who, when the foreigners arrived, went and staid with them, and by a hundred schemes flattered them, and provided *young boys for them*,‡ to act as their servants, or brought fankei-boat prostitutes to supply their whoredoms, and every sort of similar proceeding, which one cannot endure to specify : not only ruining the public morals, but also fomenting disturbances. The foreign ships are now arriving in succession, and we are sincerely apprehensive that illicit vagabonds and shameless security merchants will still tread in the steps of the old practices : therefore we direct secret spies to search and seize, and also issue this proclamation to prohibit strictly the above-mentioned practices. And we hereby order the linguists, the police patrol and watchmen, all to regard their responsibility, and repent bitterly of their former errors ; and wherever foreigners go up and down, to and from Whampoa, not to employ boats with families.

And since foreigners bring servants enough of their own quite sufficient for their use, if native merchants presume, as heretofore, to engage Chinese for them, or *young boys*, to be their servants, or lead the foreigners secretly down to boats to drink, and to whore, or meet them in the dark at night, let the linguists, the district patrol, and the watchmen search, seize, and report ; or if, by other means, we find it out, we will positively take the illicit foreigners and the linguists, and deliver them over to the local magistrates, to punish them severely according to law.

If the police appointed to the front of the factories dare to receive bribes to connive at the above practices, being detected, they shall at that place wear the wooden collar one month, and then be brought up to the governor's court, and we the governor and the hoppoo will then flog them to death. We will grasp the law immediately, and most decidedly will not shew the least indulgence. Let every one tremblingly obey, and not lightly try an experiment with us. A special Proclamation.

TAOU KWANG, 8th year, 8th month, 3d day.

\* Barbarians.

† *Idem*.

‡ The original leaves no doubt of the meaning to a native reader.

## DICTIONARY OF THE TIBETAN LANGUAGE.

ACCIDENT has hitherto prevented our notice of some "*Observations*" by M. Klaproth, of Paris, upon a Tibetan and English dictionary printed at Serampore, in 1826,\* which he was pleased to forward to us some time back. We are the more concerned at this delay lest it should be attributed to national prejudice, from which we believe ourselves entirely free, which might be wounded by a severe (though by no means acrimonious) criticism. On the contrary, we are never displeased to see the works of English orientalists subjected to this test by continental scholars, because we are convinced that, whilst science gains much, real merit has nothing to fear, from candid criticism.

Amongst the numerous oriental tongues which this indefatigable linguist has acquired, is that of Tibet; and it is obvious that a person's critical qualifications in any given tongue must be improved in proportion to the extent of his acquaintance with those which are cognate, affiliated, or even of analogical form. M. Klaproth seems to be a good Chinese and Mongol scholar, and to be acquainted with Sanscrit and its family of languages; consequently his authority as a lexicographical critic in the Tibetan tongue is by no means to be despised.

We shall give a copious translation of the introductory portion of his *Observations*. After remarking that the publication of a grammar and lexicon of the language of Tibet is an event which constitutes a kind of era in the annals of Asiatic literature, and that the first knowledge which Europe had of this important dialect was derived from a Tibet-Mongol library found in a Buddhist convent on the Irtysh, from whence a volume was transmitted to Paris in 1722; M. Klaproth proceeds to specify the labours of Fourmont, Giorgi, and Abel Remusat, the latter of whom, having translated entirely the *Buddhist vocabulary*, published at Peking, in five languages, gave, in his *Recherches sur les langues Tartares*, juster ideas in regard to the dialect of Tibet than had previously existed. "This learned author, however," continues M. Klaproth, "acknowledges, with the modesty which is naturally allied to profound knowledge, that the want of sufficient materials prevented him from giving to his labours on this language that development which he desired: nevertheless, all he has said in general is far from being 'altogether erroneous,' as a journal of Calcutta has lately observed, without any proof whatever." He then proceeds:

"The English who reside in India have a peculiar interest in procuring correct and minute data concerning Tibet, a country which is extremely rich in gold, and situated in the vicinity of their possessions. It is not, therefore, surprising that they should have endeavoured to procure some means of studying the language which is spoken in that country, and which is so little known. To their efforts to attain this object we owe the publication of the dictionary and grammar which are the subject of this article.

"The preface, signed 'W. Carey,' commences thus:

The work now presented to the public consists of a grammar and dictionary of the language of Thibet and Bhotā, more frequently written Bhotants, but called Boutan by Europeans. This, however, is not only the language of Thibet and Boutan, but it is also ascertained to be the language of Little Thibet; and as these countries are

A THOU-

\* A Dictionary of the Bhotants, or Boutan language, printed from a manuscript copy made by the late F. Ch. G. Schröter; edited by J. Marshman; to which is prefixed a Grammar of the Bhotanta language, by F. Ch. G. Schröter; edited by W. Carey. Serampore, 1826.

A THOUSAND MILES distant from each other, it is inferred that this language is spoken throughout the whole of the region on the summits of the Himalaya mountains, usually called *Chinese Tartary*, and some other countries bordering thereon, all of which are mostly, if not altogether, under the dominion or influence of China, and occupy the space between the English and the Russian possessions.

"The expressions printed in italics," observes M. Klaproth, "prove how few exact and detailed data are known in Calcutta concerning the geography and ethnography of Central Asia. Little Tibet, being one of the boundaries of Tibet on the west, cannot be distant 'a thousand miles,' as the English author states; and it is natural to ask what is meant when he speaks of regions which, being situated on 'the summits of the Himalaya' (this would seem to imply that they are suspended in the air) extend from the frontiers of Hindustan to those of Siberia? The worthy missionary appears to be equally ignorant that between India and the Russian possessions there are four distinct nations, speaking languages entirely different. To the north of India are the Tibetans, who extend as far as about the thirty-third parallel; then come the Hor or Mongol tribes; then the Turkish and Mahomedan inhabitants of Little Bucharía, intermixed in the towns with Bokharians or Tajiks, who speak Persian. Little Bucharía is separated, on the north, by the chain of the Celestial Mountains, from Dzungaria, which is inhabited by nomade Calmucks, and is terminated on the north by Siberia.

"Mr. Carey then informs us that the dictionary which he has published in concert with Mr. Marshman was probably composed by the Catholic missionaries who formerly laboured in Tibet; that a copy of their work was found in the possession of the late Major Latter, and that it was from that Mr. Schröter, a German, and member (missionary) of the Church Missionary Society, composed his. This missionary resided at Tentaliya (Titalya), a military station in the district of Purneah, and received a salary from the English government in India. After his death his manuscript was consigned to the editor, at whose recommendation the government permitted the publication, which was carried into effect by means of a liberal subscription.

"It is probable that the original of this lexicon is that which was preserved in the monastery of the Capuchins of Nepaul, of which Hervás speaks.\* The manuscript left by Schröter was in Italian; Mr. Marshman translated it into English.

"In spite of the numerous imperfections of this work, we ought to consider ourselves under an obligation to those who undertook it, for they had great difficulties to overcome. The first and the most serious, without all doubt, arose from their ignorance of the language, the dictionary of which they published; the second was the want of Tibetan types, which they were consequently obliged to get cut and cast. It is unfortunate that they should have taken for their pattern those of the Propaganda of Rome, the size of which, in copying, they have diminished. The forms of the Roman characters are very far removed from the best examples of Tibetan calligraphy, and the models contained in the books printed in the country itself. Another inconvenience is that these types were badly cast, and consequently broke in printing, like all those of Serampore.

"These trifling defects would be of no moment, if the dictionary had been more complete and better edited. The only thing which can be praised in it

is

\* "Neil 'ospicio de' PP. Cappuccini de Nèkpal nel Tibet, c'è un dizionario Tibetano MS. il quale contiene trentatré mila parole." Hervás, *Catalog. delle Lingue*. Cesena; 1788.

is the order in which the words are classed, which is much more convenient and easy for Europeans, who wish to consult this lexicon, than that commonly followed by the Tibetans in works of this nature. But the essential fault of this book is the omission of a great number of necessary words, which is by no means compensated by the admission of a multitude of phrases often of little use. Many essential words are not to be found but in these phrases, whilst they are sought in vain at the place where they ought to be. The explanations in English are in part vague, incorrect, and even false. The names connected with religion and the Hindu and Buddhist mythologies are usually explained by Sanscrit synonymes; the names of Siva, Indra, Uma, Vishnu, Crishna, Cartikeya, &c. are constantly occurring as explanations of Tibetan expressions, which appear to contain rather the titles and designations of different manifestations of these divinities, than their names.

"With respect to the grammar, it is, according to Mr. Carey's own confession, very brief and defective in many important particulars; it wants the past tense of the verb *to be*, the conjugation of the passive verb, the remarks on indeclinable words, and the syntax. Nevertheless, this fragment contributes to illustrate divers points, concerning which our notions had been previously imperfect.

"The editors should have distinctly mentioned that Mr. Schröter did not follow exactly the order of the Tibetan alphabet. They notice this fact, it is true, *en passant*, but they do not give a table of his system, which would have facilitated the search for words in the dictionary.

"By a strange mistake, the author has omitted, in the dictionary, the letter *va*, which begins the word *va*, "a fox," which is consequently wanting in Mr. Schröter's lexicon.

"It is well known that the Tibetans write a great number of letters which are not pronounced, at least at Lassa; and that other letters, grouped and connected together, acquire pronunciations totally different from those which properly belong to them. The rules given by Schröter for this object are generally good; but one important remark is necessary to be made on this head, namely, that it is almost certain that most of the letters which are not pronounced at present, were formerly pronounced, and are so still, in fact, in Eastern Tibet. M. Abel-Remusat promulgated this opinion in his *Recherches Tartares*; and I have also expressed it in my *Asia Polyglotta*."

After a few examples in proof of this opinion, M. Klaproth proceeds to state that he has compared Schröter's lexicon with three original works, namely, the Great Tibetan Dictionary explained in Mongol; the Buddhist Vocabulary, in five languages, already mentioned; and a Chinese and Tibetan Vocabulary, made in the fifteenth century: the result of this comparison he then states.

Of essential terms, and words of frequent use, the number omitted, according to M. Klaproth, is considerable; some terms are confounded with others, and there is, he says, "a multitude of words" ill-explained. Some specimens of the latter we subjoin.

*Young dhoung* (or *djoung*), the name given to a cruciform sacred character often placed upon the breasts of bodhi-satwas and saints of the Buddha religion, is explained in the Serampore dictionary by "the Greek cross, which is a sign employed in Bhotanese legislation," a phrase which is not only a false interpretation of the original, but which M. Klaproth professes not to comprehend. *Ts'han k'han*, a physiognomist, one who tells fortunes from the lines of the face, the Serampore dictionary explains by "those who give a



name to an infant." *Chakia-senggha*, one of the names of Buddha, signifying "the lion of the family of Chakia," Schröter supposes to mean "probably a kind of animal, Goutama." The geographical names are extremely incorrect, according to the critic. The natives of Tibet apply to several nations the name of *Ghia*, which, when used singly, is commonly appropriated to the Chinese. Such of these people as, subsequently to the middle ages, were dispersed throughout the different countries of Central Asia, and principally Little Bucharía and Dzungaria, are denominated *Ghia-nagh*, or "black Chinese," which corresponds with the *Kara-kital* of the Mongols, by which term *Ghia-nagh* is explained in the original vocabularies. The Hindus are called *Ghia-ghar*, or "white Ghias;" the Russians *Ghia-ver*, or "yellow Ghias." The name by which the Mongol tribes are designated who occupy the northern part of Tibet is *Hor*, a word which this lexicon explains by "a kind of spice which grows in Tartary." The name of *Hor*, or *Hor-pa*, was also given to the Mongols in general, although they bear commonly in Tibet that of *Sogh-po*, or nomades. In former times the same denomination was likewise given to the nomade tribes of Turkish origin, who occupied, from the date of the Mongol dynasty in China, several countries of Tangut. They are now called by the Tibetans *Ghia-sogh*, or "Ghias of the meadows." M. Klaproth observes: "this shows the weakness of the argument employed by M. Schmidt, of St. Petersburg, who imagined he could assign the same origin to the Hindu and the Chinese, merely because these two people bore in Tibet the same name of *Ghia*: here we see this pretended family still further augmented by the Russians, the Mongols, and the Turks, who are all named *Ghias* in Tibetan."

To the northward of Tibet, on the banks of the Yar-ghia-dzangbo, are some more nomade Turks who are Mahomedans; they are called *K'ha Ch'he*, "great mouths." Schröter explains this word by "a Saracen, a Moor." "They appear," says M. Klaproth, "to be the descendants of the Ouigour tribes who inhabited the same country from the time of the Mongol dynasty in China, and also then bore the name of *Chara Ouigour*, or 'Yellow Ouigours.' Another name of the Mahomedans is *Tho-gar*."

"*Malaya* and *Kelacha* denote the snowy mountains; they are most probably corruptions of the Hindu words Himalaya and Caílása. They are both wanting in the Serampore lexicon. Neither is *Dzang-chou* to be found there, which is the abbreviated name of the great river of Tibet, which the Tibetans call *Yaru-dzang-po-chu*, and the natives of the kingdom of Ava, *Irawaddy*."

## THE OPIUM TRADE OF CHINA.

MOST of our readers know that opium is strictly forbidden by the laws of China to be imported into the empire, a prohibition that has its existence in a moral consideration. Nevertheless, it is the country where the principal portion of the Indian drug is consumed, together with a large quantity of what is produced in Turkey.

The grand emporium of the trade was formerly at Macao; but in the progress of enterprise it found its way to Whampoa, the anchorage of the port of Canton for all foreign vessels. There it remained for some time, till, in 1821, the remonstrances of the Hong merchants against an illicit commerce being brought into the very port of the country from whence it was interdicted, gained its removal to Lintin, where it has since been very quietly conducted. Here are several ships stationed, who receive it from the importing ships as they arrive.

The transactions commence with brokers, who speak English, and are conversant in foreign commerce, whose only remuneration is a commission of two dollars per chest, paid them by the superior agents, who act often in the capacity of opium merchants, and are the middle men with regard to the adventuring parties. These men remain in Canton; but carry on no direct intercourse with the foreigners, and are but few in number. The names of some are known to the residents here under the appellations of *Hunchback*, *Lamefoot*, *Cockeye*, &c.; thus designated by their bodily deformity, which reminds us of our juvenile recreations in story, where many of the heroes of the pieces are characterized by their personal defects.

The activity of purchase is always evident on the arrival of the salt and other junks, which come generally from various ports on the coast, in small fleets, and several from Chinchew, Nankin, Souchong, and Hamoon, and on their departure, when outside of the port, take in the opium.

The adventure is extended to all the crew, by which conjunction of interest united exertion and secrecy are secured. These visits are at stated periods; and in the absence of a real demand, speculations are engaged in, by the opium merchants making bargains for time, to meet the return of their constituents.

One leading principle of the trade, never departed from, is that of receiving the money before the property is delivered. On payment being made, an order is given on the commander of the ship where the opium is deposited, and which is conveyed thither by smugglers, who attend with their boats to receive it. These boats are in general manned by thirty or forty persons, of a very active class, armed with pikes, stones, and other missile weapons, which they are very dexterous in throwing. On receiving the opium, it is usually taken out of the chests and put into bags, as a more ready package to remove it in, and one that exposes them less to discovery; for although the Mandarins, under the influence of extensive bribery, which their cupidity seldom prevents them from accepting, are generally blind to the operations passing within their district, yet they are obliged, frequently from policy as well as from other causes, to shew great vigilance, which sometimes ends in capture. The junks cruise off the coast, and the boats join them with the valuable commodity.

At certain periods of the year presents are sent from this province to the emperor, of fans, oranges, and other products peculiar to the place, with those brought from distant countries, such as watches, glass-ware, cloth, &c. &c.,  
by

by which a facility is given to the transit of the drug, and several hundred chests are frequently conveyed by these opportunities. The vessels, in these cases, sail under the imperial flag, which forbids the right of search, and it becomes a high emolument to the Mandarin in charge, who, we understand, never fails to accept of the fees of corruption.

Many difficulties are presented on landing the drug, and still more in despatching it into the interior. In extreme cases the drug is reduced to the extract, and put in small canisters adapted to portable conveyance; but in ordinary instances it is removed in the ball, which is concealed in the sleeves and loose dress of the party: and under this process it is carried through the empire, even to the very confines of the imperial palace.

Perplexity seems to attend the trade in all its progress; it commences in hazard, and so continues in every stage, to the very moment of consumption of the drug, for even in the act of inhaling the delicious draught, the opium smoker is obnoxious to the laws.

It may be right to mention the economy that is observed in the use of the drug, for the ashes which are taken from the first smoking are preserved, undergo a second process of purification, and the extract is sold at an inferior rate.

Smoking houses are very numerous in Canton, and are to be found in every city, town, or village over the country, and the luxury of the pipe is sought after by every description of persons, though all cannot indulge in it. The Chinese merely smoke; thus they differ in its use from the Turks, who usually, we believe, chew it.

However injurious a profuse use of this narcotic may be to the constitution of the smoker, still its demoralizing effects, which are witnessed in the opium gambling-houses at Singapore and other eastern places, is unknown in China.

On a sale of opium being made by a foreigner, a deposit of 100 dollars per chest is required from the purchaser, by way of securing the contract, and is denominated *bargain-money*.

Repeated edicts and proclamations are issued against this trade, and against the consumption of the drug, as destructive to health and morals. Recently, the Namhoyunc of Canton has issued an official proclamation against opium by the authority of the treasurer of the province. He quotes at length the document published by the treasurer, and sent to all the districts of the province, requiring the local officers first to give orders to all opium dealers and smokers to desist from these illegal practices, and deliver up to government the utensils employed either in preparing or using the poisonous drug, that they may be destroyed. If this be disregarded, the police are authorized to employ the military in seizing and bringing the offenders to justice.

The treasurer's document goes over the usual ground of opium edicts; that it is brought from beyond seas, and smuggled into China by foreign ships; that the poison has spread illimitably; that banditti fishing for gain deal in it largely, or open shops to retail it; that the pretence is, it tends to excite the animal spirits, and to remove obstruction, and for a temporary gratification, lasting disease is induced. "If the opium smoker be deprived of his pipe a single day, mucous from the nose, tears from the eyes, begin to flow, and meet the saliva at the corners of the mouth. At last the moisture of the body is dried up, the shoulders and back rise, and the head sinks between them, till the human figure presents the appearance of a decayed rotten tree,

as if life would become extinct at every breath ; and yet the victim seems insensible of the cause. Involved in still deeper depravity is a race of vagabonds, both men and women, who use it as an excitement to sensual appetite, and seduce the simple and unwary. It is a great detriment to the lives of individuals and the welfare of families, and noxious in the extreme to the hearts of men and the public morals. In Canton, where there is an intercourse with foreign barbarians, the custom of smoking prevails most."

After this exhibition of the melancholy facts, the treasurer goes on to pronounce commands and threatenings, which the Namhoyune reiterates.\*

The following is a statement of the quantity and value of Indian opium consumed in China, from the year 1821 to the year 1828.

Years.	Patna and Benares.		Malwa.		Total.	
	Quantity.	Value.	Quantity.	Value.	Quantity.	Value.
	Chests.	Drs.	Chests.	Drs.	Chests.	Drs.
1821 to 1822.....	2,910	6,038,250	1,718	2,276,350	4,628	8,314,600
1822 to 1823.....	1,822	2,828,930	4,000	5,160,000	5,822	7,988,930
1823 to 1824.....	2,910	4,656,000	4,172	3,859,100	7,082	8,515,100
1824 to 1825.....	2,655	3,119,625	6,000	4,500,000	8,655	7,619,625
1825 to 1826.....	3,442	3,141,755	6,179	4,466,450	9,621	7,608,205
1826 to 1827.....	3,661	3,668,565	6,308	5,941,520	9,969	9,610,085
1827 to 1828.....	5,114	5,105,081	4,361	5,277,060	9,475	10,382,141

The quantity of Turkey opium consumed in the last twelve months is computed to amount to 1,600 peculs. It is mixed with the Patna and Malwa.

The wonder appears daily to be, where and how can so great a quantity of opium be consumed. We will not go back to past times, when in no respect will they bear comparison with the present, either in degree of existing taste or extent of import, but commence our simple operation from the date of the current season.

14,000 chests of all descriptions of the drug may be imported into Canton this year, and each chest contains about 100 catties; but, in treating of the consumption, this quantity must, in conformity to Bengal phraseology, be reduced to the quantum of *smokeable extract* which it yields. This, in Patna, in its utmost purity, seldom amounts to fifty per cent., whilst Malwa frequently renders upwards of sixty-five per cent.; and if we confine ourselves to the average of sixty per cent., we may not be far from the truth.

As the daily indulgence is spoken of in degree, of so many candarin or mace, of which latter, 160 are equal to a catty, we will reduce our term to the character of mace, and fix this year's importation to 134,000,000; but, lest we might be supposed to make an error in numeral statement, we will express it in words, to be upwards of one hundred and thirty-four millions of mace of *consumable opium*.

Some persons, from long habit of sensuality and indulgence, have brought themselves to the power of smoking two mace and sometimes more per day, even as far as four mace; others, commencing with only five or six candarin, imperceptibly advance to the consumption of a mace, and are considered as very temperate smokers.

But should we come to the conclusion of two mace a day amongst regular smokers, we must fall very short of the real consumption, when we take into consideration,

consideration, that the use of the drug enters into the hospitable notions of both the middle and inferior order of society of almost every district; as it is also accepted as a luxury amongst the depraved, the consequent thoughtless use of it, and the waste arising therefrom, must be very similar to the extravagant expenditure of wine and spirits, by those nations who partake of the social draught in hours of conviviality or riot.

We consider, however, that under all chances and accidents, three mace a day is a very moderate computation for the average consumption; and then we will inquire of the gentlemen versed in Chinese statistics, what population is requisite to carry away an importation of 134,000,000 mace of opium.

We can take a glance over the map of China, and reconcile to our reason the demand with the importation; since, from all we can deduce from our constant inquiries, an increase of taste and indulgence in the drug is daily taking place, which the moderate price that it has lately borne may tend much to promote; and there is little doubt but its circulation spreads to all parts of the empire, and meets with the desire of every part of the community: this when once gratified is seldom destroyed, but increases with the indulgence.

In one province, we are told that the females are allowed the opium pipe; but, generally speaking, it is not permitted to the sex, the licentious only being partakers of it.

The objection to opium smoking, we are told, is not so strong in the view of government as the system of prohibition would indicate; and even in the peregrinations of the present judge Yaou, who, in his zeal to correct abuses, appears to have dived in secrecy into all societies, for the purpose of detecting misery and vice, has expressed his sentiments very candidly, and declares he cannot discover the great evil so much deplored in the habit, since all whom he has met in the indulgence have appeared to him an orderly class of persons.\*

The following is the law against opium, as contained in the eleventh volume of the penal code.

Dealers in opium shall be exposed with the wooden collar about their necks one month, and then sent to the army on the frontier; accomplices shall be punished with 100 blows and transported three years. Those who open shops to sell opium and entice the sons of respectable families to smoke shall be condemned to death, by strangling, after a period of confinement; accomplices shall be punished with 100 blows, and be transported three years. Masters of boats, constables, and neighbours shall be punished with 100 blows and three years' transportation. Officers of government at court, who buy and smoke opium, shall be dismissed from the service, receive 100 blows, and be exposed with the collar about their necks two months. Soldiers and people who buy and smoke opium shall be punished with 100 blows, and exposed with the collar one month. Eunuchs of the palace who buy and smoke opium shall be exposed with the collar about their necks two months, then sent to the territories, and be given to the soldiers as slaves, &c. Further, those officers, military and civil, who neglect to discover and seize opium, and the hoppo of Canton who fails in this part of his duty, shall all be delivered over to a court of inquiry, and punished according to its decision.

\* *Canton Register*, Aug. 23.

## PILGRIM TAX AND EXPOSURE OF THE SICK.

*To the Editor of the Asiatic Journal.*

SIR : I often think of the sentiment of Solomon : " Rebuke a wise man and he will love thee." In the brief notice of " India's Cries to British Humanity," in your last number, you have rebuked me, and I acknowledge the propriety of your remarks. I have prepared answers to the objections made to the speedy suppression of suttees, which I hope soon to give to the public, in a third edition of " The Suttees' Cry to Britain." In carefully noticing the contents of the Parliamentary Papers respecting Hindoo widows, I of course saw conflicting opinions upon the subject of immediate abolition of suttees : but there appeared to me a great preponderance in the number and weight of testimonies for that object, which I contemplated in my pamphlet ; and hence the plan I pursued : but your animadversions are just, and I hope to profit by them. Permit me to say, that I am afraid your observations on the suttee pamphlet will, by some of your readers, be considered applicable to the pamphlets relative to the *Pilgrim Tax* and the *Ghaut Murders*. If so, I presume you will acknowledge that they are not warranted. In these pieces, particularly that on the Pilgrim Tax, I think you will see that the difficulties have been met, and an attempt made to obviate them.

As, Sir, I feel very deeply interested in bringing these subjects under consideration, in temperate and respectful language, before " the powers that be," it would afford me much gratification, and greatly facilitate the object contemplated by those publications, if you would give an analysis of their contents, and thus shew, in a condensed view, the nature and tendency of the evils which have been the subject of my consideration, and the facility and importance of their suppression. I request this particularly with regard to the pilgrim tax system, upon which I have been able to gather some information in your interesting pages. I have been an eye-witness of the miseries of pilgrimage, while residing at Cuttack, and in occasional visits to the great temple of Juggernaut ; and it would afford me the greatest satisfaction to be the humble means of hastening the period, when this temple and its sanguinary worship shall be

" Buried 'midst the wreck of things that were."

Permit me to close with a short extract from an " Account of Orissa," by A. Stirling, Esq. " Generally from two to three days are consumed in reaching the Gondicha Nour temple, where the images are taken out. Before even this period is elapsed, the curiosity and enthusiasm of the pilgrims have nearly quite evaporated : they steal off in numbers, and leave *Shree Jee* to get back to the temple as he may. Without the aid of the villagers and the population of Pooree, who hold their ground free of rent on condition of performing this service for the deity, the cars would now infallibly stick at the Gondicha Nour ! Even the god's own servants will not labour zealously and effectually without the interposition of authority, and I imagine the ceremony (the car festival) would soon cease to be conducted on its present scale, *if the institution were left entirely to its own fate and to its own resources by the officers of the British Government.*"—*Pil. Tax.*, 2d edit., p. 55.

I am, Sir, yours respectfully,

Coventry, March 12th, 1829.

J. PEGGS. .

## PLAGIARISM OF POPE.

*To the Editor of the Asiatic Journal.*

MANY instances of plagiarism have been pointed out in Pope, but not, I believe, the following, which shews that his much admired speech of "Sarpedon to Glaucus," in the translation of the twelfth book of the *Iliad*, was formed upon, and partly copied from, the version of that passage by Sir John Denham, with great improvements, it must be confessed. The plagiarism is the more plain, because both are mere paraphrases of the original. T. N.

POPE.

Why boast we, Glaucus, our extended reign,  
Where Xanthus' streams enrich the Lycian plain;  
Our numerous herds, that range the fruitful field,  
Our hills, where vines their purple harvests yield;  
Our flowing bowls with purest nectar crowned;  
Our feasts, enhanced with music's sprightly sound?  
Why on those shores are we with joy surveyed,  
Admired as heroes, and as gods obeyed;  
But that great acts superior merit prove,  
And vindicate the bounteous powers above?  
'Tis ours the dignity they give to grace,  
The first in virtue as the first in place;  
That when, with wondering eyes, our martial bands  
Observe our deeds transcending our commands;  
Such, they may cry, deserve the sovereign state,  
When they that envy dare not imitate.  
Could all our cares elude the gloomy grave,  
Which claims alike the fearful and the brave,  
For lust of fame I would not vainly dare,  
In fighting fields, nor urge thy soul to war.  
But since, alas! ignoble age must come,  
Disease, and death's inexorable doom;  
The life that others pay, let us bestow,  
And give to fame, what we to nature owe;  
Brave, though we fall, and honoured, if we live,  
Or let us glory gain, or glory give.

DENHAM.

Above the rest why is our pomp, our power,  
Our flocks, our herds, and our possessions more?  
Why all the tributes land and sea affords,  
Heaped in great chargers, load our sumptuous boards?  
Our cheerful guests carouse the sparkling tears  
Of the rich grape, whilst music charms their ears.  
Why, as we pass, do those on Xanthus' shore  
As gods behold us, and as gods adore?  
But that, as well in danger as degree,  
We stand the first; that when our Licians see  
Our brave examples, they admiring say,  
Behold our gallant leaders! these are they  
Deserve the greatness, and unenvied stand,  
Since what they act transcends what they command!  
Could the declining of this fate (oh, friend!)  
Our date to immortality extend?  
Or if death sought not them who seek not death,  
Would I advance? or should my vainer breath  
With such a glorious folly thee inspire?  
But since with Fortune Nature doth conspire;  
Since age, disease, or some less noble end,  
Tho' not less certain, doth our days attend;  
Since 'tis decreed, and to this period lead  
A thousand ways, the noblest path we'll tread,  
And bravely on till they, or we, or all,  
A common sacrifice to honour fall.

## Review of Books.

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*The History and Doctrine of Buddhism, popularly illustrated : with Notices of Kappooism, or Demon-worship, and of the Bali, or Planetary Incantations, of Ceylon.* By EDWARD UPHAM, M.R.A.S. With forty-three Lithographic Prints from original Singalese Designs. London, 1829. Large Quarto, pp. 136.

OF the Buddhist religion, if a system professedly atheistical ought to be so designated, we really know very little, although for years past European scholars have been endeavouring to penetrate the mist which obscures its history and doctrines. Much embarrassment has doubtless arisen from local peculiarities, which diversify not merely the forms but the very doctrines of Buddhism in different countries. The reader need not be told that modifications of this faith still hold in subjection the inhabitants of a great part of Asia, and that there is reason to think that Buddhism once domineered in Hindustan, where its relics are still distinctly traced. According to the popular hypothesis, which, however, has never yet been demonstrated satisfactorily, the latter country was the scene of its establishment at a very remote date; it is further assumed, upon some slender historical data,\* that the Bauddhas were expelled from India by the Brahmens, and sought an asylum from the vengeance of their persecutors in the neighbouring countries, whither they imported their system. It is easy to conclude from these premises, that an exiled sect, however numerous, which possessed no immutable code or standard of doctrine, would lose, in process of time, that exact uniformity of faith and practice, which subsisted whilst the Bauddhas constituted a compact and aggregate body, and that they would gradually blend their own superstitions with those of the people amongst whom they immigrated: as the circles produced by the fall of a pebble into still water lose their symmetry of shape as their diameters enlarge, until they become undistinguishable.

This will explain the apparent incongruities and contradictions in the accounts given of Buddhism in different Eastern countries, by writers who have had the courage to venture into its dark labyrinths and almost impervious jungles. Another productive source of embarrassment has been that passion for hypothesis, which seems a disease amongst Oriental antiquaries especially, who, from the time of Sir William Jones, have been intent upon instituting forced analogies betwixt Eastern and Western mythology. Whilst our knowledge of Oriental languages and antiquities was very limited, chasms were excusably filled up with speculations and conjectures, which, however, tempted some imaginations actually to run riot, and to fill the *Asiatic Researches* with laborious absurdities,—those of Capt. Wilford, for example,—which sober scholars at the present day devoutly desire to see expunged.

The charm which the elegant mind of Sir Wm. Jones communicated to this vicious propensity, was perhaps the chief cause of its prevalence. In one of his earliest discourses to the Asiatic Society of Calcutta, he considers it as a fact demonstrable beyond all controversy, that the mythologies of the East and the West are identical. “We now live,” he says, “among the adorers of those very deities

\* That precious relic of the historic muse of Hindustan, the *History of Cashmere*, represents Brahmenism as established in Cashmere in A.D. 202; and that Buddhism was tolerated till about A.D. 342, when the Brahmens overcame the followers of Buddha and burned down their temples.



deities who were worshipped under different names in old Greece and Italy.”\* He goes on, in the same discourse, to identify Buddhism with the Gothic superstitions of Europe. “The Scythian and Hyperborean doctrines and mythology may also be traced in every part of these Eastern regions; nor can we doubt that *Wod* or *Oden*, whose religion, as the northern writers admit, was introduced into Scandinavia by a foreign race, was the same with *Buddh*, whose rites were probably imported into India nearly at the same time, though received much later by the Chinese, who soften his name into *Fo*.”† Following in the footsteps of the “great master,” another writer in the *Researches* (Mr. Reuben Burrow) discovers that “Stonehenge is evidently one of the temples of Boodh.”‡ Dr. Buchanan, in decided opposition to this theory (which, it is but just to state, Sir Wm. Jones abandoned before his death), remarks that the corruption of *Buddha* to *Fo* is so forced as to merit no attention; and that with respect to the identity of Buddha and Woden, no two religions can be more different. “No circumstance,” he adds, “seems to have occasioned more mistakes among antiquaries, than from one or two coincident attributes, to suppose two divinities of different nations to be the same: an error adopted by all the Greeks and Romans, whether from respect to their gods, or from national vanity.”§ The hypothesis, though renounced by its author, has been reiterated recently by Col. Francklin,|| who, indeed, identifies Buddha with many of the gods, demi-gods, heroes, and sages of Scripture and mythology; Noah, Hermes Trismegistus, Memnon, Osiris, Dagon, *et id genus omne*.

A philosophical inquirer into ancient superstitions will recognize two grand divisions, distinguishable by their respective origin; the one comprehending such as indicate an adulteration of a creed once rational and pure; the other consisting of those crude notions which the joint agency of ignorance and terror breeds in untutored minds. The first are scions detached from the stock of the primitive religion of the world; they are

Beams ethereal sullied and absorpt;

the latter are original conceptions of people who, by some mysterious arrangement of Providence, became isolated from the great family of man. The votaries of the former class of superstitions recognize a sole first cause, clothed with all the attributes of omnipotence, though in the lapse of centuries a multitude of subordinate divinities, deriving their existence from various sources, amidst the corruption and mental retrogression of mankind, may have become the primary objects of worship. Those benighted races, on the other hand, in whose minds the revelation of a Supreme Being had become extinct, in their slow progress from savage to social life, matured and rationalized their original scheme of religion by the superaddition of spiritual agents, agatho-demons, and caco-demons, to their deities of wood and stone. In the ascending and descending scales, coincidences would necessarily appear between creeds, originally opposite, but brought parallel with each other, by the corruption of that which was pure and the refinement of that which was base. Thus the degradation of the Hindu, whose ancestors were adorers of “the one Supreme God,”¶ but who is now a worshipper of the shapeless Juggernaut<sup>h</sup>, has reduced him to a level with the savages of Polynesia.

Should this theory be considered as fanciful, and as falling under the sentence we have pronounced upon other hypotheses, it must at least be evident that, since superstition is the offspring of ignorance and fear, and its object is

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\* Third Anniv. Discourse, *As. Res.* vol. I. p. 424.

† *Ibid.* p. 425.

‡ *Ibid.* vol. II. p. 498.

§ *Ibid.* vol. VI. p. 261.

|| *Researches on the Jeynes and Boodhists.*

¶ Menu, ch. xii.

the same in all minds, namely, to conciliate the favour or deprecate the wrath of some unseen power, the forms which it assumes amongst different people will necessarily be often analogous, differing through the influence of a few accidental and local diversities. The inventive genius of the human mind is circumscribed, when superstition is the incentive, by prejudices which are common to the whole human race. An artful man may, with interested views, succeed in giving an impulse to the current; but, if unchecked, it tends universally in nearly the same direction. It would, therefore, follow from hence, that analogies between the tenets or the rites of nations remote from each other are not to be assumed as proofs (unless supported by other evidence) of an original identity.

There are some remarkable features in different pagan systems, the mutual resemblance of which is often appealed to as an incontestable proof of affinity. Such, for example, is the reverence paid to deified mortals. But a more natural, we had almost said excusable, weakness of the human mind could scarcely be conceived, than that which converts the gratitude of nations into a sublimer sentiment, and which tempts mankind, conscious of the infirmity inseparable from our constitution, to exalt, in imagination, the nature of individuals who seem to be exempt from that infirmity, from human to divine. As national gratitude, the source of this superstition, is a sentiment which can only exist in a social state, the worship of heroes seldom, if ever, occurs amongst savage tribes; but we meet with it amongst almost all the polished pagans of antiquity. The ancient Egyptians, Diodorus\* tells us, believed that mortals who had distinguished themselves on earth by their virtue were raised to the rank of gods. We have abundant evidence in the writers of Greece and Rome, as to the same belief existing in those nations :

Romulus, et Liber pater, et cum Castore Pollux,  
Post ingentia facta, deorum in templa recepti.†

It is to this very principle that the Bauddhas are indebted for their gods, if they may be so called, for they are not objects of worship; their pantheon is filled with deified mortals, who have deserved well of the human race, and but for whom Buddhism would have been not a religion, but a harmless system of moral philosophy.

For these, among other reasons, we are confirmed sceptics with respect to most of these theories of analogy. As to etymological coincidences, which constitute the most suspicious of all evidence, we are absolutely sick of them. There is nothing which a polyglottist will not attempt if he can maintain that the names of Buddha, Woden, and Fohi, are one and the same! But we have endeavoured to assign some grounds for our opinion, that a correspondence between the *tenets* and *practices* of two or more superstitions, is by no means demonstrative of their original conformity.

Divesting the accounts of Buddhism, therefore, of all the adventitious matter with which they have been accompanied, and which are calculated only to mislead inquirers, we proceed to give a hasty summary of its obvious traits, from the copious details furnished by Dr. Buchanan, Mr. Joinville, and Lieut. Mahoney, derived from native reports and documents, in the *Asiatic Researches*, and from Mr. Hodgson's sketch of Buddhism in Nepaul, recently published in the *Transactions* of the Royal Asiatic Society.

To begin with the *person* and *name* of its founder; he is said by some to have been an Ethiopian, or negro; by others a Tartar. The meaning of his name

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\* Lib. i. s. 13.

† Hor. Ep. ad Aug

(for all eastern names are significant) cannot be settled. It is defined by some to imply *goodness*, by others *wisdom*, by others *holiness*, whilst others derive it from *buddhi*, because he admitted no supreme deity but *intellect*. Some consider Buddha to be merely an allegory. The different nations amongst whom modifications of this superstition prevail, respectively hold different names connected with it in estimation, such as Buddha, Jina, Arhan, Gotama, &c. Long lists of Buddhas are extant; in short, it would appear that any individual may become a Bodhi-satwa, and thence a Buddha, by compliance with certain rites and austerities. "The Buddhas mentioned in the Bauddha scriptures," observes Mr. Hodgson, "are innumerable; many of them, however, are evident non-entities in regard to history: even the Buddhas of mortal mould are vastly numerous." He adds: "in the *Lalita Vistara*, is a formal enumeration of the perfections in knowledge and virtue requisite for attaining the three grades of Buddhas."\*

Atheism, or the exclusion of a self-existent creator and moral governor of the universe, seems admitted to be the distinguishing feature of genuine Buddhism. "In the opinion of the Buddhists," says M. Joinville, "there has been no creation."† The learned Singalese, according to Mahoney, justify their atheism in the following manner: "in support of their denial of a Supreme Power, who created heaven and earth, they urge, 'that if there existed such a creator, the world would not perish and be annihilated (as it must, according to the principles of Buddhism); on the contrary, he would be careful to guard it in safety, and preserve it from corruptibility.'‡ The opinions of the Burmahs and of the Siamese perfectly coincide with this notion of the absence of a Supreme Ruler of the universe; and the Chinese votaries of Fo are in the same predicament. On the other hand, it appears from Mr. Hodgson's "sketch," that amongst the four schools into which the Buddhists of Nepaul are divided, one, the Aishwarika, is theistic, maintaining an eternal, infinite, intellectual Adi-Buddha; though he adds: "the great defect of *all* the schools is the want of providence and of dominion in their *causa causarum*." But when we are told elsewhere,§ that, "according to the testimony of Cassiano, who long resided there, the people of Botyid or Thibet were Hindus, who engrafted the heresies of Buddhism on their old mythological religion," the apparent enigma admits of an easy solution.

As a substitute for a dispensation of rewards and punishments at the hands of a righteous judge hereafter, the Bauddha system supposes a series of heavens (twenty-six in number, one above another, in three classes), and of hells (one hundred and thirty-six in number), places of expiation or punishment: in the former, the good are prepared for their ultimate destination; and the bad, or rather the incorrigible, undergo various torments in the latter. The invention of places of torment has necessarily introduced devils or wicked spirits, who are the tormentors, into the economy of the universe, and has led to Kappooism, or demon-worship, and to the observance of planetary charms, or Baleeism. These devilish agents are by some supposed to be transformations of men, or their temporary transmigrations into a demon form; but the popular creed seems to regard them as of supernatural origin. The whole of this machinery is of limited duration. Eternity is no part of the Buddhist scheme. The good, who have earned their final meed, find it in annihilation.

\* *Trans. of R. A. S.* vol. ii. p. 254.† *As. Res.* vol. vii. p. 309.‡ *Ibid.* p. 35.§ *As. Res.* vol. iii. p. 10.

annihilation. The exact nature of this ultimate state, however, is a matter of dispute.

The grand instrument of punishment, or rather of purging the nature of man, is transmigration, which is supposed to continue, indefinitely, in proportion to the character and improvement of the individual. The transmigrations of Buddha himself, according to the Singalese, continued through an *asanka*, a period containing a number of years represented by an unit followed by sixty-three cyphers, although old authors make the period four *asankas*! The number of his transmigrations is ordinarily limited to 550.

The account of the Buddhist scheme of final retribution given by the Nepaulese Bauddha to Mr. Hodgson is succinct, and tallies with other reports:

Q. Will you answer, in the world to come, to Adi Buddha for your acts in this world, or to whom will you answer; and what rewards for good and pains for evil will you reap in the next world?—A. How can the wicked arrive at Buddha? Their wicked deeds will carry them away to Naraka,\* and the good will, by virtue of their good acts, be transported to the Bhuvanas† of Buddha, and will not there be interrogated at all; and those who have sometimes done good and sometimes evil, are destined to a series of births and deaths on earth, and the account of their actions is kept by Rama Raja.

Mr. Hodgson remarks upon this answer, that genuine Buddhism never seems to contemplate any measures of acceptance with the deity; but, overleaping the barrier between finite and infinite mind, urges its followers to aspire by their own efforts to that divine perfectibility, of which it teaches that man is capable, and whereby man becomes God. "Thus," he adds, "we must account for the fact that genuine Buddhism has no priesthood; the saint despises the priest, and scorns the aid of mediators in earth or in heaven."‡

The highest reward attainable by man is found in that state or states denominated *mookti*, *moksha*, and *nirwana*, which terms are variously interpreted to signify,—deliverance, exemption from transmigration, undisturbed tranquillity, apathy, extinction, or annihilation. The latter interpretation, implying destruction of individuality and utter cessation of being, is generally repudiated by all the Buddhist sectaries. But, as Mr. Colebrooke observes,§ perpetual uninterrupted apathy, which the Jainas and Bauddhas look up to as their ultimate bliss, can hardly be said to differ from eternal sleep.

The foregoing is an outline of Buddhism; and considering the character of its fundamental principles,—the absence of a moral ruler of the universe, the rejection of the notion of a creation (for even the Adi-Buddha of the Nepaulese possesses no generative power), the limited existence of all beings, the wild theories with regard to moral responsibility, and the idea of final extinction,—we cannot hesitate to regard this absurd system, not as a heresy or the falling away from a pure creed, like Brahmenism, but as a clumsy superstructure erected upon the weak foundation of ignorance and superstition, laid amongst a people in the lowest stage of rudeness.

What facilities this conclusion will afford for investigating the comparative antiquity of the Brahmens and Bauddhas of Hindustan, we shall not stay to inquire. That there is at present an intimate relation between some of the tenets of the two superstitions is no proof, as we have already shown, that they are not distinct in origin. M. Joinville employs an argument for the antiquity of the Bauddhas, which is of more value than all the historical data we possess. "An uncreated world and mortal souls," he observes, "are ideas

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\* The eight chief hells.

† Heavens.

‡ *Ut ante*, p. 254.

§ *Trans. of R. A. S.* vol. i. p. 566.

to be held only in an infant state of society, and as society advances, such ideas must vanish: *a fortiori* they cannot be established in opposition to a religion already prevailing in a country, the fundamental articles of which are, the creation of the world and the immortality of the soul. Ideas in opposition to all religion cannot gain ground, at least cannot make head, when there is already an established faith; whence it is fair to infer, that if Buddhism could not have established itself among the Brahmens, and if it has been established in their country, it must be the more ancient of the two.”\*

It is time, however, to take some notice of Mr. Upham's labours. When this work, which we have been some time looking for, was first announced, it was described as consisting of translations of three Singalese manuscripts, the *Mahavansi*, the *Raja-vali*, and the *Raja-ratnacari*, which had been furnished by the Buddhists of Ceylon, as containing (perhaps the first more particularly) a genuine account of the Bauddha doctrines, and of their moral and political effects upon the native character. These manuscripts, which had been carefully collated with the best copies kept in the different temples of Ceylon, and which were, it was said, revised and corrected by two of the ablest Bauddhas on the island, were translated into English from the Pali and Singalese languages by the official translators in Ceylon, and were, it was added, in the course of revision for the press by the Rev. Mr. Fox, who is known to be an excellent Pali scholar.

Although the contents of these manuscripts, or at least the material parts of them, have probably transpired already in Europe, still an accurate and a full translation of them by an able hand, from a text well authenticated, would have been a very useful appendage to the papers in the *As. Researches*. Instead of this, however, we are now presented with a “popular illustration of the history and doctrine of Buddhism,” in which there is scarcely any allusion to the manuscripts mentioned above, nor is Mr. Fox mentioned except in a note appended to an extract from a missionary publication. From a passage in Mr. Upham's preface, we are indeed informed, impliedly (though it would have been much better if the fact had been stated plainly), that these important manuscripts had furnished no part of the work. Mr. Upham says: “Hitherto we have been unable to draw from the chief source of knowledge, the priesthood of Ceylon, the information which could alone afford us a satisfactory insight into the doctrines and principles of the Budha:† no source, however, can, it is presumed, be less exceptionable than original PICTORIAL REPRESENTATIONS, combined with their explanatory precepts, as employed for this purpose by the priests of that celebrated island. For these *plates*, and for much valuable information inserted in the following pages, the author is greatly indebted to the communications of Sir Alexander Johnston. The *plates* are lithographic copies from the drawings in Sir Alexander Johnston's possession.” So that it really appears that the publication of these *plates*, of which we do not wish to speak harshly, is the only part of the original plan which has been carried into execution. Circumstances may have occurred to prevent its entire fulfilment (although, as the MSS. were already translated, we can scarcely conceive a reason why they should be withheld); but at all events the fact ought to have been unreservedly stated.

The work appears, therefore, to be chiefly a compilation from preceding publications,

\* *As. Res.* vol. vii. p. 400.

† This is certainly incorrect: Lieut. Mahoney gained his information from the “learned Singhalale,” (for the term *priest* is improper); and he has given a copious abstract of the *Raja-vali*. Johnville's account is also taken from Singalese authorities.

publications, especially those of Dr. Leyden, Dr. Buchanan, and M. Joinville. There is very little in the work, if there be any at all, which strikes us as being very new. A popular account of this superstition, although the materials were accessible to the reader, if methodically arranged, and treated philosophically, in clear and lucid language, might still be a very acceptable work, as illustrating the history and operations of the human mind in its rudest state. But we are constrained to say that we do not find Mr. Upham's work to possess even this slender merit.

He appears to be totally unacquainted with the Oriental tongues, in which the esoteric doctrines of Buddhism are contained. We infer this fact from the internal evidence in his work, rather than collect it from his indistinct acknowledgment, that "he has no pretension to the philological knowledge requisite to render discussion useful and illustration pertinent." He disclaims local information:—he might with equal propriety have disclaimed the possession of that talent of philosophical discrimination which is absolutely necessary to enable a person to treat such an intricate subject with advantage. Lastly, his style, instead of being studiously simple and perspicuous, is ambitious, turgid, obscure, and withal negligent, and inaccurate. Of the unscholar-like language of Mr. Upham, a short extract will furnish a specimen:—

Except the worlds, &c. which are dissolved and created by themselves by periodical seasons, without any *final beginning or end*, all living things depend on two principles, *koosula-karma* and *akoosula karma*, or the merits of good deeds and bad deeds. A man by the merits of his good deeds may be born a god, and for bad deeds an ant; and this is the case with all living things, including gods, &c. The heaven is not to yield its happiness for ever to any being, nor the hell its misery, but only so long as *their* good or evil deeds deserve. Thus the souls of all living things, in every Sackwalle, are liable to removal from one body to another, according to their respective merits. Men after death may be born again as any kind of animals, gods, men, devils, &c., and even so the beasts or other beings may exist again as men or gods, according to their deserts.—Pp. 81, 82.

Not to be too hypercritical, we would merely ask what is implied by the *first* of the *three* signs of "*et cetera*," namely, "the worlds, &c.;" and what is meant by a "*final beginning*?" A "final end" is a pleonasm of which Mr. Upham is elsewhere guilty; he tell us of "the approach of a *final termination* of the Calpe," in p. 74. The style, in short, abounds with solecisms.

It is with pain that we publish these strictures upon the labours of a gentleman, who, we understand, has rather distinguished himself in another department of literature, and who must have incurred some toil in the compilation of this work; but a critic must be just. It is no disgrace to a writer not to possess the qualifications requisite in order to treat this subject properly, for they are rare. In the course of his examination of the *Asiatic Researches*, Mr. Upham must have met with the following opinion of Sir Wm. Jones: "a complete account of Buddha will then only be given, when some studious man shall collect all that relates to him in the Sanscrit books, and shall compare his authorities with the testimonies drawn from other sources, by Kæmpfer, Giorgi, Tachand, De la Loubere, and by such as have access to the literature of China, Scandinavia, and Japan."\* Even Mr. Colebrooke's comprehensive reading and research, in Sanscrit, Pracrit, or Pali, has been candidly acknowledged by that profound scholar to be insufficient for investigating this subject accurately.†

\* *As. Res.* vol. iii. p. 417.

† *Trans. R. A. S.* vol. i. p. 550.

*Letters on the Climate, Inhabitants, Productions, &c. &c. of the Neilgherries, or Blue Mountains of Coimbatore, South India.* By JAMES HOUGH, of Madras. London, 1829. 8vo. pp. 172.

The Neilgherries (*neel-gherri*, "blue mountain") are a range of hills which form the connecting link, or the nucleus, of the two chains of lofty mountains in Southern India, known by the name of "the Ghauts," the eastern commencing about lat.  $11^{\circ} 20'$  N., south of the Cavery (not north of that river, as Mr. Hamilton states), and extending to the Krishna; the western commencing north of Cape Comorin, and running northerly and north-easterly till they are lost in the hills of Boorhampore. The Neilgherries are situated between the 11th and 12th parallels and the 76th and 77th meridians; they are bounded on the north by the table-land of Davaroypatnam; on the south and east they are terminated by the open country of Coimbatore, on the south-west by the Mannar, a branch of the Bhowany river, on the west by the Murkoorty peak, and on the north-west by Wynaad. They are distant between 100 and 200 miles from the opposite coasts of Coromandel and Malabar.

These hills were first visited in January 1819, by some European gentlemen residing at Coimbatore, whose favourable report of the climate and general aspect of the country, published in the Madras papers,\* excited much interest. In May following, they were again visited by some of the same party, accompanied by the French naturalist, M. Leschnault de la Tour, and a second report appeared,† confirmatory of the conclusions formed from the first. The Madras government determined to open one of the passes to the mountains, and a triumphant evidence of the salubrity of the air appeared from the fact that "the pioneer officer employed on this service, who had long been in a precarious state of health, and suffering from a periodical attack of the Ganjam fever, derived almost instant benefit from the climate, and hastened to corroborate the accounts of it already published." In the succeeding year other parties proceeded to these hills, and in 1821, some families took up their temporary abode there. The result of every experiment proved the accuracy of the first statement.

Notwithstanding the uniformity of the accounts given in favour of these mountains by all parties who had ascended them, yet so notorious is the insalubrity of hilly countries in India, that it was for some time in vain to plead the superior elevation of the Neilgherries—their freedom from jungle—or the healthy state of their inhabitants, to prove them an exception. An inveterate prejudice seemed to exist which nothing could remove; so that it was long before any persons at a distance could be induced to believe what they heard. At length, however, the number of those who visited the hills became so great, and all the reports of them were so favourable, that incredulity grew ashamed of itself, and was literally forced to surrender: and after seven years' quarantine, the Indian community are beginning to reap the advantages of this interesting and valuable discovery. The positive benefit derived by invalids from the three presidencies of India who have visited the hills, and the uniform testimony in their favour borne by all the medical gentlemen who have resided any time upon them, have established their reputation; and they are now resorted to without apprehension of any calamitous consequences.

In 1826, the author of these letters, who is one of the chaplains of Fort St. George, considered it a public duty to make the character of this part of the

\* See *Asiat. Journ.*, vol. viii. p. 235.

† *Ibid.*, vol. ix. p. 137.

the country more generally known, especially to invalids, inasmuch as "a residence on the Neilgherries for twelve months will produce more effectual and permanent benefit to a shattered constitution, than a visit to the Cape, or any other place in the East to which invalids have hitherto resorted." He accordingly inserted the letters in a Calcutta journal, and he has been induced to think, and properly, that they deserve "to appear in a more permanent form than in a Bengal newspaper."

As we have communicated to our readers the contents of most of these letters, as they appeared in India, it is needless for us to repeat them. They contain some very interesting and curious facts, not merely with regard to the climate and productions of the hills, but their different inhabitants, whose usages and manners are well described. One of the tribes on the hills, the Thodawurs, exhibit some peculiarities in their customs, which induce the author to think that they may have been originally a colony of foreigners: an opinion rendered, he observes, highly probable by a recent discovery in one of the barrows or tumuli, with which many of the hills are covered. A few have been opened, and found to contain ashes, earthen vessels, razors and tweezers, spears and arrows. One contained a gold coin, or medal, which bears no resemblance to Hindu coins, but resembles most a coin of the lower Greek empire; it is without legend. On the obverse is a head with a crown, of a peculiar shape; the figure on the reverse resembles those on the Byzantine coins. We can have no doubt of the fact that this coin is of Roman origin, if the letters, which are Roman, said to be on each side, are correctly given.

Mr. Hough's benevolent object, in the publication of these letters, is amply sufficient to banish his scruples as to "whether it were quite compatible with his professional and domestic duties to bestow upon the work that time which it has unavoidably occupied."

He will be gratified to hear that his wishes are likely to be fulfilled, as the Madras government intends, if it has not been already done, to erect habitations for the retreat of invalids on those restorative hills.

*General Chart from England to China, including the Indian Seas.* Published by Parbury, Allen, and Co. Drawn by John Walker. Large sheet. 1829.

This very excellent chart comprehends the space between the meridians of 50° west and 160° east of Greenwich, and between the parallels of 50° south and 60° north of the Equator; it consequently includes a very considerable portion of the whole globe. The tracks of vessels are laid down from and to the different presidencies in India and England, and from and to China, distinguishing the various courses in the different monsoons, and the several passages to the latter country through the intricate eastern archipelago. The chart also shows the passage from England to South America, and thence to the Cape and India; the St. Helena passage, *via* St. Thomas on the African coast; the tracks to the Red Sea and the Persian Gulf; the voyages between the presidencies, &c. In short, the chart exhibits at a glance the exact course of a vessel, and the places she can touch at, in every part of an Eastern voyage. Its utility is not confined to nautical persons, or passengers on board ship; but it will afford a most convenient means of reference in the library and counting-house.

The chart, we understand, includes the recent surveys of Captain Owen and Vidal of the coast of Africa, and those of Capt. King of Australia.



## PARLIAMENTARY PAPERS.

## CARNATIC COMMISSION.

Twenty-Fifth Report of the Commissioners appointed under an Agreement, concluded on the 10th of July 1805, between the East-India Company and the Private Creditors of the late Nabobs of the Carnatic.

No claim has been advertised since the date of the last report.

The Aggregate Amount of Claims then specified in lists already presented was .....	£30,401,950 17 4½
Net extended in said lists .....	918 19 9¾

Total.....	£30,402,869 17 2½
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The Aggregate Sterling Amount of Absolute Adjudications against the Claimants, is, at the date of this Report .....	£27,615,047 8 7
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We shall here subjoin, for the information of this Honourable House, an Abstract of the Amount of our Adjudications, to the date of the present Report, viz. :

Aggregate of Absolute Adjudication, in favour of Parties .....	£2,587,451 14 7½
Aggregate of Provisional Adjudications in favour of Parties.....	20,923 2 0½
	£2,608,374 16 7½

Aggregate of Absolute Adjudications against the Parties, including the Portions disallowed on Claims favourably adjudicated...	27,615,047 8 7
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Total.....	£20,923,422 5 2½
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Estimated Balance of the Amount of Claims already reported to this Honourable House, which remain to be Adjudicated, when replies to the remaining references shall have been received from the Commissioners in India, including the Company's Claims, but exclusive of the above amount provisionally allowed.....	179,447 11 11¼
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Total.....	£30,402,869 17 2½
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Since the date of our last Report \* to this Honourable House, we have received from the Commissioners at Madras, the necessary documents to enable us to relieve the Carnatic Fund from the whole of the class of small claims to which in that Report, and on so many other occasions, we have referred, and our award to this effect is, in consequence, included in our present Report.

We have the honour further to state to this Honourable House, that we have under consideration the Claim of the United Company of Merchants of England trading to the East-Indies, No. 4,562, in our Twenty-third Report to Parliament, and the further Report recently received on the claim of William Abbott, which had been provisionally adjudicated under the Relief Act; and we are in daily expectation of receiving from the Commissioners in India, reports on the few remaining claims upon the Carnatic Fund, in order to enable us to complete our Adjudications, and to close the Carnatic Commission.

Carnatic Office, Manchester Buildings, Westminster,  
23d February 1829.

BENJAMIN HOBHOUSE,  
THOS. COCKBURN,  
ROBERT HARRY INGLIS.

## TANJORE COMMISSION.

Fifth Report of the Commissioners appointed under an Agreement, concluded on the 11th February 1824, between the East-India Company and the Private Creditors of his late Highness Ameer Sing, formerly Rajah of Tanjore.

In obedience to the act of parliament, passed on the 17th June 1824, we present to this

this Honourable House, a list of all the claims which, since the date of our last report, have been preferred, by persons who describe themselves to be creditors of the late Ameer Sing, and have become parties to the deed of agreement with the East-India Company.

(Then follows a list of claims, from No. 100 to 106 inclusive.)

The aggregate amount of the claims, specified in the lists formerly presented to this Honourable House, and in this continuation, as nearly as can be calculated from the imperfect manner in which some of the claims are stated, is .....	S. Page.    £.    c. 3,653,500 19 16 or £1,461,400 3 8
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In our last report \* to this Honourable House we expressed a hope (the obstacles therein stated having been removed), that we should soon receive reports from the Tanjore commissioners in reply to our instructions; but our expectations have been disappointed, no reports having as yet reached us. We think it proper, however, to quote an extract from a letter received from the commissioners at Madras (who are Carnatic, as well as Tanjore commissioners), bearing date the 18th day of December 1827, received here on the 24th April 1828:—"We must observe, that our attention has been for some time past necessarily devoted to the duties which form the subject of this address," (i. e. the final measures for withdrawing the petty claims on the Carnatic fund); "and consequently, we are not at present enabled to report much further progress in our labours, as Carnatic and Tanjore commissioners."

Office of the Tanjore Commissioners,

Manchester Buildings,

Westminster,

23d February 1829.

BENJAMIN HOBHOUSE,

THOS. COCKBURN,

ROBERT HARRY INGLIS.

\* See vol. xxvi. p. 338.

## NEW PUBLICATIONS.

### LONDON.

*The History and Doctrine of Buddhism*, popularly illustrated, with Notices of the Kappoolism, or Demon Worship, and of the Ball, or Planetary Incantations, of Ceylon. By Edward Upham, M.R.A.S. With 43 lithographic prints from original Singhalese designs. Royal 4to. Prints plain, £3. 3s.; coloured ditto, £5. 5s.

*Persian Fables*, from the Anwar-i Soheily of Hussein Vais Kashfi; with a Vocabulary, prepared and arranged by Jas. Michael, Esq. 4to. 18s.

*Sermons* preached in England. By the late Bishop Heber. 8vo. 9s. 6d.

*Letters on the Climate, Inhabitants, Productions, &c. of the Neilgherries, or Blue Mountains of Coimbatore, South India.* By J. Hough, of Madras. 8vo. 6s.

*Reflections* on the present State of British India. Dedicated to Woolryche Whitmore, Esq., M.P. 8vo. 7s. 6d.

*A Map of Nubia*, comprising the country between the First and Second Cataracts of the Nile, with correct indications of the numerous Monuments of Antiquity, and a plan, to a large scale, of the extensive remains on the Island of Philoe. The whole from a Survey made by H. Parke and J. J. Schotes, Architects, in 1824. 12s.

*Hints on Emigration* to the New Settlement on the Swan and Canning Rivers, on the West Coast of Australia; with a skeleton Map of the World. 2s.

Imported from India.

*The Bohoduroon, or Various Spectacles*: being a Collection of Proverbs and Morals, in the English, Latin, Bengalee, Sanscrit, Persian, and Arabic Languages. Compiled by Neelrutna Halder. 8vo. 10s.

*Dictionary of the Burman Language*, with Explanations in English. Compiled from the MSS. of A. Judson, D.D., and of other Missionaries in Burmah. 8vo. 20s.

*Dictionary of the Marat'ha Language*, in Two Parts, viz. Marat'ha and English, and English and Marat'ha. By Lieut. Col. Vans Kennedy. Folio, £1. 15s.

*Dictionary of the Bhotanta, or Boutan Language*, printed from a MS. copy made by the late Rev. Fr. C. G. Schroeter, edited by J. Marshman. To which is prefixed a Grammar of the Bhotanta Language, by Fr. C. G. Schroeter, edited by W. Carey, D.D. 4to. £1. 15s.

*Futavi Hammadiyah; a Treatise on Mohamedan Law*, in the Persian Language. 2 Vols. 8vo. £1. 16s.

*Pancha Tantra Katha*: Stories in the Tamul Language. Folio. 21s.

*Kutha Manjari*: Stories in the Tamul Language. 4to. 12s.

*Smrita Chandrika*; a Treatise on the Municipal Law of the Hindud, in the Tamul Language. Folio. £2. 2s.

*Tales of Vikramarka*, in the Telugu Language. 4to. 12s.

### CALCUTTA.

*A Companion to Johnson's Dictionary*, in English and Bengalee; to which is prefixed an Introduction to the Bengalee Language. Royal 8vo. 14 Rs.

*The Faqueer of Jungheera*, a Metrical Tale; and other Poems. By H. L. V. Derozio. 8vo. 8 Rs.

*The Asiatick Researches, or Transactions of the Society instituted in Bengal, for enquiring into the History and Antiquities, and Arts and Sciences, and Literature of Asia.* Vol. xvi. 4th. 16 Rs.

*A Practical Analysis of the Letters Patent forming the Episcopal Charter of the See and Diocese of Calcutta, and the Laws and Canons applicable thereto; including Ecclesiastical Proceedings and Precedents.* By W. H. Abbott, Attorney and Solicitor of the Supreme Court. 4to. 10 Rs.

## VARIETIES.

## ASIATIC SOCIETY OF CALCUTTA.

A meeting was held on the 3d September at the Society's apartments; the Hon. Sir Charles Grey, president, in the chair.

The completion of the sixteenth volume of the *Researches* was announced, and the seventeenth ordered to be commenced upon immediately.

The president communicated a letter from the Committee of Translations at home, requesting the co-operation of the Society, in their proposed publication of Oriental manuscripts and translations. The question was fully considered by the president and the meeting, and with every disposition to facilitate the objects recommended to the attention of the Society.

The co-operation sought by the Translation Committee of the Royal Asiatic Society, is of two kinds, literary and pecuniary—the first consisting of Oriental works, original and translated; and the latter, for the purpose of assisting to defray the cost of publication. The local management they leave to a local committee, and they engage to print such originals or translations, as may be sent to them for that purpose.

No difficulty was apprehended in furnishing the Oriental Committee with original manuscripts or translations deserving publication, as curious, useful, or interesting. The printing of Oriental works, however, on an extensive scale, must be beyond the unassisted means of any private subscription, and it would not be necessary to supply the Committee very liberally with such subjects of expenditure. The Asiatic Society of Paris, indeed, makes this one of its objects, and a few books have been ordered for press at its expense; but none of any importance have yet been published. The more feasible plan is that which appears to be prosecuted with great success in the *Catalogue des Manuscrits* of the Royal Library at Paris, and also in Casiri's *Bibliotheca Arabico-Hispanica*, in which a summary account of the several works is interspersed, with copious extracts in the original text, with a translation attached. This plan was contemplated many years ago by the Asiatic Society of Bengal, but the funds have never permitted its execution.

With regard to translations from the Oriental languages, there are many young men scattered about the country, possessed of sufficient acquirements for this purpose, and who would probably gladly have recourse to it as an amusement when some encouragement is held out to them.

The medals and pecuniary rewards are not likely to have much influence, but perhaps they may not be without some effect.

The next consideration was the pecuniary contribution. The Committee at home, although they will of course be glad to receive assistance of this nature, do not seem to expect any important addition to their means from this source, for they propose to pay for the expense of transcribing translations and procuring originals, should the sum collected in Bengal be inadequate to the payment. It is, therefore, evident that they do not reckon on any large supply from this quarter. If, however, an individual subscribes less than ten guineas annually, he will not, it is to be presumed, be entitled to a copy of the work, translated, printed, and published by the Committee. Upon the occasion of any member of the Asiatic Society of Bengal choosing to subscribe for this purpose, the local committee may be authorized to receive and transmit his subscription; and it may be also thought expedient to subscribe the same on account of the Society, with the same view. These subjects would be legitimately applicable to the local expenditure, the right of the individuals to their books being unaffected thereby; but, as before suggested, the Asiatic Society of Bengal may so far contribute to the objects of the Society at home as to take those charges upon itself, at least to the extent of copying translations and procuring original manuscripts from individuals. The purchase of Oriental manuscripts, and the preparation of medals, or presentation of pecuniary rewards, must be provided for from the subscriptions either here or in England.

Unimportant as may be the additions thus proposed to the expenses of our Society, there exists a necessity of considering how they and others, incurred in the regular course of proceeding, are to be provided for; the expenses of the Society, inclusive of the publication of the *Researches* at intervals of from two to three years per volume, already exceeding its receipts.

It was therefore resolved that, for the purpose of defraying the cost of the seventeenth volume of the *Researches*, and other contingent charges, a subscription be opened among the members of the Society.

It was resolved also, with reference to the proceedings of the Physical Committee of the Society, that the seventeenth

teenth volume be published in two distinct parts—one comprising papers of a scientific, and the other, papers of a literary and miscellaneous description.

And with respect to the communication made by the president from the Royal Asiatic Society, it was further resolved: That a committee of the Society be formed, to communicate with the Committee of Translations of the Royal Asiatic Society, and carry their views into effect, by procuring and transmitting such manuscripts, original and translated, as they may be able to obtain for the purpose. Of this committee, the Hon. Sir Chas. T. Metcalfe, Bart. was elected president, and F. Halliday, Esq. the secretary.

That a book be opened for subscriptions of ten guineas per annum each subscriber, entitling him to a copy of all the works printed by the Translation Committee.

That the Asiatic Society subscribe ten guineas a year for this purpose.

A letter was read from F. P. Strong, Esq., on the subject of the peat-earth found in the vicinity of Calcutta, and frequently used by the natives as fuel. The specimens sent were from a spot close to the Dum-Dum road, and from Entally. This peat-earth is said to be readily met with in Calcutta, at Howrah, and as far as Cox's Bungalow. This communication was also referred to the Physical Committee.

An extract of a letter from Major Hamilton Smith was read, containing several queries on zoological subjects, and presenting to the Society a copy of his contributions to the animal kingdom on the Mammalia. The queries were referred to the Physical Committee.—*Cal. Gov. Gaz.*

#### MEDICAL AND PHYSICAL SOCIETY OF CALCUTTA.

A meeting of this Society was held in Chowringhee on the 4th Oct., A. Gibbs, Esq., president, in the chair.

The following papers had been received since last meeting, and were submitted by the secretary. An account of scrofula, as it appeared among the natives of India, by Mr. J. Leslie; the pathology of the blood vessels, by Dr. Wise; and the case of a singular cutaneous disease in a native, by Dr. Adam.

The sketch of the topography of New South Wales, by Mr. R. M. Martin, and the case of cutaneous disease, were then read and discussed by the meeting.

With regard to the climate of Sydney, winter sets in with May, spring with September, summer in November, and autumn in March. Mr. Martin observes that it is only during the summer months that the hot winds occasionally blow, and

raise the mercury to 120° when exposed to the wind. When these siroccos are about to occur, the sky assumes a lurid appearance, the sun is hid from view, the wind suddenly shifts to the N.W., and blows with tremendous violence, and can only be compared to a fiery blast issuing from an immense furnace; the dust is whirled with rapidity, distant thunder is heard: at night, the flashes of stream lightning present a continually illuminated horizon; vast forests become a universal blaze of fire, and the flames borne along with the blast, readily find fresh fuel, carrying terror before, and leaving ruin and desolation behind. Not only does the field of corn ready for the sickle become a charred stubble, but houses and domestic animals are reduced to a heap of ashes; and man himself, while attempting to save his property, has sometimes fallen a victim to its ravages. Fortunately these winds seldom last long, rarely more than two days at a time. Their termination is marked as decisively as their commencement: the air becomes darkened, a severe thunder-storm comes on, accompanied with rain and hail, the latter of a very large size; the wind shifts to the S.E., and a cold southerly squall sets in, which lasts for a few hours, when the sun re-appears, the sky assumes its usual pale blue, and the atmosphere acquires its wonted serenity. Collins speaks of these siroccos as killing birds, beasts, and men, who were exposed to them; but Mr. Martin has ridden through the forest when the red-hot charcoal beneath his horse's feet, and the falling columns of fire from trees in his path, made it highly hazardous, without feeling any other effect than excessive fatigue, after riding forty or fifty miles in such an atmosphere.

Rainy weather is most frequent in the month of March, sometimes in February or January; it lasts about twenty days, and occasionally the rivers are so swollen by the mountain torrents as to sweep away from the banks stacks of corn, dwelling houses, men, and cattle. The month of April, which is the Australian autumn, is very similar to the same month in England; fires are pleasant in the morning and evening. May is truly delightful. The winter months, viz. June, July, and August, have an extremely bracing effect on a debilitated constitution, the atmosphere being not only cool, but entirely divested of the humidity which characterizes an English winter, the greatest height of the mercury being 63°, and the lowest 27°. The ground is covered with a hoar-frost in the morning, and ice, about the thickness of a Spanish dollar, is found even some hours after sunrise. On the mountain-road to Bathurst, snow of two feet in depth has remained on the ground for several days, and

and ponds have been frozen over sufficiently thick to admit of a loaded waggon being driven over them without breaking.

Mr. Martin exemplifies by a fact, that the winters of New South Wales are delightfully mild. He has placed, at night, a vessel of milk under a tree in his garden at Paramatta, and in the morning, while eating the iced-cream, plucked the ripe and ripening oranges and citrons. Frequently a second crop of pears and other summer fruits is produced in winter, and trees blossom again.

Mr. Martin thinks that neither time, civilization, nor cultivation, has diminished the claim of New South Wales, since our earliest knowledge of it, to the appellation of the "Montpelier of the world," merited by its moderate temperature, dryness of atmosphere, and congeniality to the human constitution. Many of the diseases which afflict mankind are totally unknown there. Individuals arriving in the colony, with constitutions impaired, are soon restored to health, and attain a robust old age.

The small-pox has not yet made its appearance among the colonists. Shortly, however, after the first settlement, in 1788, it raged among the aborigines in the neighbourhood of Sydney, and nearly depopulated the country. The caves on the sea-shore were found filled with dead bodies, and in some places were observed the deceased left to perish without human aid, those who had strength remaining having fled from the contagion to the interior of the country, leaving the dead to bury the dead, a circumstance not at all usual among that simple race of men.

Neither measles, hooping-cough, nor scarlet-fever, have yet been seen in the colony. Hydrophobia is equally unknown. Cutaneous eruptions are rare; but among the aborigines a scaly disease covers their bodies, which they ascribe to a constant use of fish.

Females seem to be in a great measure exempt from the suffering denounced on our first parent. The aborigine, when seized with the throes of labour, if on a journey, stops on the way-side, and is attended by her husband, who sprinkles her with water until parturition is over, when the new-born babe is wrapped in a soft paper-like bark, and the mother arising, resumes her progress in search of food.

Mr. Martin mentions a very curious fact. The increase of population, he says, has been most rapid, and is to be accounted for by the number of females born, the proportions being, with regard to males, as three to one! The greatly preponderating numbers of females brought forth among domesticated animals will account for the countless herds of cattle which overspread the colony.

Viewed as a place of convalescence for individuals suffering under the influence of tropical diseases, Mr. Martin is of opinion that New South Wales appears to possess many advantages. The voyage is sufficiently long to benefit an invalid, without his being exhausted by its duration, if the passage be made through Bass's Straits, or to the southward of Van Diemen's Land. After arriving at Sydney, any climate requisite, whether cold or warm, may be chosen in twenty-four hours. There is an extensive and elegant society, a perfectly English town, and as fine animal food as is to be had in the world, together with all the delightful vegetables and fruits which are so seldom to be found good out of England.

Dr. Adam's case of cutaneous enlargement is a very singular and curious one. The subject is Khali Mitter, a native of Fureedpore, a lad about sixteen or eighteen. The skin of the left thigh to below the knee has become a loose pendulous mass, covered with strong black crispy hair, like that of the beard or whiskers. He states that there has been some peculiarity of the limb ever since his birth, but he feels no inconvenience in walking, excepting from the increased weight. The temperature of the enlargement is about three degrees of Fahrenheit warmer than the other parts of the body. The lad appears to be otherwise healthy.—*Cal. Gov. Gaz.*

#### GEOGRAPHICAL SOCIETY OF PARIS.

*Meeting of 20th February.*—A communication from Baron de Capellan, in the name of Mr. Van Kolff, of the Netherlands Royal Marine, offered a narrative of a voyage in the eastern part of the Indian archipelago and the neighbourhood of New Guinea. The narrative and chart which accompanies it record the discovery of a river named Durga, the mouth of which, of great extent, is on the eastern coast of New Guinea.

A detailed report was made regarding the materials collected by M. Riffaud in Egypt and Nubia, in the course of his twenty years' residence there. The report, which was confined to those points within the scope of the Society's objects, declares the collection to be one of great importance.

*Meeting of 6th March.*—M. Honoré Vidal gave an account of his numerous journeys in Asia and Egypt from 1807 till 1828. It appeared from his statement, that he had four times traversed Arabia Deserta, in the most unfavourable seasons and circumstances; that he had travelled all over Mesopotamia and Babylonia; that he had made two journeys from Bagdad to Constantinople, and from this capital to Bagdad, by sea and land; that he had likewise travelled over Syria, Anatolia, Asiatic

Asiatic Turkey, Persia, part of Armenia, the coast of the Black Sea, and Egypt. Most of his journeys were performed by M. Vidal at his own expense, from a desire to gain information and to promote the science which this Society had in view. He is conversant with the Turkish language and Musulman customs, and possesses a remarkable skill in the pronunciation of all the Arabic dialects, which greatly facilitated his objects.

M. Jomard stated that M. Drovetti, French Consul-general in Egypt, had despatched for France six young Africans from the remotest parts of Ethiopia, in order that they might receive such an European education as their natural talents permitted. M. Jomard, at the same time, made some detailed communications regarding the studies of the young Egyptians who are now educating at Paris. On the 5th March, six of them, who are designed for chemical pursuits, underwent an examination in chemistry before the Comte de Chaptal, peer of France, when their answers to a great number of questions put to them were satisfactory, although they had not applied themselves to the study of this science more than nine months. Their manipulations and experiments were also performed with dexterity.

#### THE LITTLE VOLCANO OF COOSIMA.

Mr. Tilesius, of St. Petersburg, who accompanied Capt. Krusenstern in his voyage round the world, has inserted, in the Memoirs of the Imperial and Royal Academy of Sciences at St. Petersburg, a paper on the natural history of the north-eastern coast of Asia, the Kurile isles, &c. The following mention is made of the isle of Coosima, one of the smallest volcanos in activity.

"In May 1805, on our return from Japan, passing the isle of Jesso and Cape Sangar, in order to reach the Kurile isles and return to Kamschatka, we fell in with the two little volcanic isles of Oosima and Coosima. Capt. Krusenstern has stated that the greatest part of the rocks and mountains in this archipelago are more or less of a volcanic nature.

"Coosima, of which only the point or summit appears above the water, and which forms, perhaps, the smallest volcano on our globe, is in the shape of a peak always smoking, which according to the measurement taken by our astronomer, Dr. Horner, was not more than 150 feet above the level of the sea. It is naked, sterile, and of a blueish colour. Not a single plant, not even a blade of grass, was seen upon this volcanic rock, the dusky shores of which, reddish and porous, are crumbling to dust. Beds of lava show the periodical flows of repeated eruptions. The beds ascend in succe-

sion like a staircase from the surface of the sea, and form a pyramidal amphitheatre up to the very crater.

"The other island, named by the Japanese Oosima, not far from Coosima, may be the point of a mountain connected with the former, the two mountains forming a single island beneath the sea. It is to the west of the other and larger, but resembles it in every respect, and its aspect, seen through the telescope, exhibited the same rock, the same hue, and the same sterility. We passed between these two islands, which are not more than six leagues (English) apart."

#### INCANTATIONS IN CHINA.

A number of people pretend to be able to invoke and obtain the appearance of genii, or demons, in the following manner:—One who means to invoke the appearance of a *Seen*, docs on the day preceding bathe himself in scented water, and on the eve of the coming day arranges fragrant flowers, gold and silver papers, candles, fruits, &c.; sweeps the best hall of his house clean, lays out two tables, and spreads over them a white powder. He procures a bundle of white powder, ke, *i. e.* an upright stick, to represent a pencil, and a horizontal spoke, with which to wield it, at the side of the table. To guide this pencil, under the direction of the invisible spirit, a boy who can neither read nor write is procured. When the time arrives, in the evening of the day appointed, the magician comes, and goes through his incantations; then, if the spirit chooses to appear, the style in the boy's hand moves irresistibly, and writes responses either in verse or prose, as it may happen to suit the occasion. No woman is allowed to be present on these occasions. Sometimes the spirit invoked will not appear; but at other times the manes even of Confucius, or of the Chinese god of war, or of his generals, make their appearance, and give responses, sometimes on state affairs and the destiny of the dynasty, which renders the practice altogether illegal, although in ordinary cases it is connived at.—*Canton Reg.*

#### CHINESE JEST.

*A poor Scholar.*—A man, lately deceased, appeared for trial before the king of the infernal regions. The king adjudged that, as he had during his previous state of existence lived in excessive luxury, he must return to life on earth in the character of a scholar. A demon lawyer remonstrated, saying this man has been a great transgressor, and deserves not such kind treatment. The king, laughing, said "his having been a great transgressor is the very reason why I decide that he should return to life, to be

be a poor scholar, with a large family of small children, raising a killing cry in his ears all the day long. That will be punishment enough."—*Chinese Jest Book*.

#### VESTIGES OF LA PEROUSE.

In our last vol., p. 577, we gave a sketch of the proceedings of the French expedition in search of the vestiges of La Perouse, up to the arrival of the *Astrolabe* at Van Diemen's Land, in January 1828. We add some particulars of its further progress, taken from a French journal.

The *Astrolabe* sailed from Hobart Town on the 5th Jan. for the Manicolo Islands (or Vanikoro, as Capt. D'Urville says the name is pronounced by the natives), and in fifteen days she reached Norfolk Island, whence Capt. D'Urville directed his course to the Mathew's rock, which he passed close on the 28th, and then stood off for Tikopia (Tucopia), which he came in sight of on the 10th February. He communicated with the natives; and after vainly endeavouring to induce the Prussian, Buchart, and the lascar, of whom Capt. Dillon speaks, to accompany him to Vanikoro, he sailed for that island, carrying with him two Englishmen, who had deserted from a whaler and resided at Tikopia, as well as five natives of Vanikoro, where he arrived on the morning of the 14th. This day was spent in reconnoitring the reefs which surround the isle, and the openings which admit of landing there. Next day, the westerly wind preventing the vessel from entering the bay where La Perouse's ship perished, Capt. D'Urville employed himself, though without success, in searching for the isle of Taumako, celebrated by the voyage of Quixos, the position of which has never been discovered.

He entered the eastern bay, named Terai, on the 21st; and on the 23d he despatched the cutter commanded by one of his officers, M. Gressier, towards the reefs of Vanoo and Paioo. This officer made a tour of the island, but obtained no information as to the spot where the French ships had been wrecked. He brought a few trifling articles which had belonged to them.

On the 26th another officer, M. Jacquinet, was sent. By means of a present of a piece of scarlet cloth, the natives were induced to point out the spot, and the French officers could perceive, at the depth of three or four fathoms under water, anchors, cannons, balls, and an immense quantity of other stores: a gun and some of the other articles were got up a few days after.

Having ascertained that this was the identical place where the vessels of M. Perouse were wrecked, Capt. D'Urville determined to erect on the isle a monu-

ment to the memory of his unfortunate countrymen. He fixed upon a tuft of trees on a reef which runs out into a low point, and partly protects the harbour of Mangadey, as the situation for the cenotaph. On the 14th March it was placed there, under three volleys of musquetry and a salute of twenty-one pieces of cannon, which made the mountains of Vanikoro echo again. The natives were alarmed, and sent a deputation of two of their chiefs on board the corvette, where they were kindly entertained, and were convinced that there was no intention to injure them; they pledged themselves, also, not to destroy the mausoleum, which, being built of stone and wood, was not likely to tempt their cupidity. Its shape is that of a cube, six feet square, surmounted by a quadrangular obelisk; one of its sides bears a plate of lead, on which is engraved the following inscription: "*A la mémoire de La Perouse et de ses Compagnons; l'Astrolabe, 14 Mars, 1828.*"

It was the design of Capt. D'Urville to explore the reefs, and the village of Paioo, in person; but a fever which laid him up, and attacked the crew, compelled him to abandon this project. The weather became unfavourable, and contrary winds prevented the ship leaving the anchorage till the 17th, and then she run many risks.

The particulars obtained by Capt. D'Urville, respecting the shipwreck of La Perouse are very unsatisfactory, owing to the difficulty which the natives found in comprehending his questions. The following is the best account he could obtain:—After a dark night, and whilst a south-easterly wind blew with great violence, the islanders beheld, in the morning, to their astonishment, on the southern coast, opposite the district of Tanema, an immense vessel thrown upon the reefs, where she speedily went to pieces, and entirely disappeared, without the possibility of saving any part of her. Of those on board thirty only succeeded in escaping in a boat, and landed on the island. The following day the savages beheld another vessel, similar to the former, cast ashore before Paioo. This vessel, suffering less from the wind, and laying on a regular platform of only fifteen or eighteen feet, remained for a long time on the spot without going to pieces. All who were on board it went to Paioo, where they took up their residence, along with those from the other ship, and set to work immediately in constructing a small vessel out of the wreck of that which had not been totally lost. The Frenchmen, whom they called *Mara*, were, they said, always respected by the natives, who never approached them without kissing their hands, a ceremony which

which they often observed towards the officers of the *Astrolabe*. Frequent quarrels, however, took place, in one of which the natives lost five men, three of whom were chiefs, and the Frenchmen two of theirs. At length, after a labour of six or seven moons, the little vessel was completed, and all the strangers quitted the island, according to the most current opinion. Some, indeed, affirm that two remained behind, but that they did not live long after: of this fact there can be no doubt; their unanimous testimony proves that there does not exist a single Frenchman either at Vanikoro, nor in the isles of Urry and Egiasmeba (Tapua, in their tongue), nor even at Santa Cruz (Entendi) or the neighbouring isles. There is only a single white man at Santa Cruz, who belonged to a whaler.

With respect to the route taken by the Frenchmen, on their departure from Vanikoro, Capt. D'Urville thinks they must have directed their course to New Zealand, in order to reach the Moluccas or Philippines, by the north of New Guinea; and that it is on the eastern coast of the Solomon Islands that any traces of them can possibly be found; the circumstances in which they were not permitting them to venture through Torres Strait. Capt. D'Urville's instructions directed him to proceed towards this strait; but the deplorable state of the crew's health, owing to the fever, which had left only two officers fit for duty, and contrary winds, obliged him to proceed to Guam, in order to rest and recruit his crew. After a fresh attempt to find the isle of Taumako, which had no more success than the former, the *Astrolabe* sailed on the 26th March for the Marianne Islands. After quitting Guam, and touching at Amboyna, Batavia, and other places, she arrived on the 29th September last at the Mauritius, from whence she will sail for Toulon, as soon as the crew are in a condition to perform the voyage.

#### CHINESE ASSOCIATION.

In Haongshan there resides a literary doctor of the name of Ching, whose family have been persons of note ever since the Sung dynasty, which flourished in the twelfth century. Dr. Ching, during the last year, set on foot among all the gentry of the country a new association, to be called, from its design, the *Worshippers of Righteousness*. A hall of worthies is to be erected, into which 350 tablets of deceased ancestors are to

be admitted, all arranged according to the rank and worth of the deceased. Every family introducing one of these divine tablets, as they are called, is to pay 100 taels into the hands of a treasurer. Dr. Ching is president. The sum to be thus raised is 35,000 taels of silver, which is to be put out to interest. Sacrifices are to be regularly performed in spring and autumn to the manes of the Haongshan worthies, and the living are not to be forgotten. In case of any of the subscribers meeting with any cross accident, insult, or oppression, the 350 subscribers are to unite, come forth, and attack his enemies; and when any member of their families attains a literary degree, the Society is to give him 300 taels, to assist him to go to court and pursue his studies. Dr. Ching, who is rich, has perfected this association for the benefit of future generations, and his fame is spread abroad through all the neighbourhood. There are here and there one or two impugners, who say the association is a very useless thing.—*Canton Register*.

#### STEAM NAVIGATION IN THE BLACK SEA.

Steam vessels have been built at Odessa to communicate with Cherson, for conveying passengers, and towing of vessels. The first steam-vessel was started on the 4th (16th) July 1827; it was named the *Hope*, and contained two commodious apartments for passengers, one for females the other for males.

#### CHINESE ASSOCIATIONS.

The *Heavenly Flower Society* is a name assumed by the Beggars' Association in Canton. It is said to consist of about a thousand members. Eight dollars entrance-money is required. There are four head-men; these have power to punish severely a member of the association who violates its rules. These beggars require and obtain certain gifts for good luck on all great domestic affairs, whether mournful or joyful, whether at marriages and births, or deaths and funerals. Any street or neighbourhood can free itself from beggars by paying a certain sum to one of the head-men, who sticks up an order that none are to beg there for money: they are still allowed to beg for food.

The *White Bone Society*, which is established to collect dead men's bones, the bodies of drowned persons, &c. to inter them, is considered one of the most benevolent institutions in Canton.—*Canton Reg.*



## Royal Asiatic Society of Great Britain and Ireland.

*Saturday, March 7.*—A general meeting was held this day at two o'clock P.M.; the Right Hon. C. W. Williams Wynn, M.P. president, in the chair.

Donations were presented from Mr. Ackermann, Sir A. Johnston, Baron A. de Meyendorff, Sir Gore Ouseley, J. S. Penleaze, Esq., and Capt. Mignan. The British and Foreign Bible Society presented copies of additional versions of the Old and New Testaments, in sixteen volumes.

Capt. W. A. Tate was proposed, and, as a member of the Bombay Literary Society, immediately balloted for, and elected a resident member of this Society. Robert Mackenzie Beverley, Esq., LL.D., was elected a resident member.

Their Excellencies the Prussian, Brazilian, and American ambassadors were elected foreign members of this Society.

Among the visitors present at this meeting were Drs. Meyrick and Hope, the Marquess de Riario Sforza, M. Tourguineff, &c.

Dr. Meyrick, having lent a specimen of the weapon called a wagnak, or tiger's claw, for inspection, Col. Briggs read a short paper illustrative of its use: the circumstance to which it owes its chief interest is the use made of it by the celebrated Mahratta chieftain Sivajee,\* to assassinate Abdoolla-Khan, the Mahommedan general of Bijapoor, while engaged in an apparently friendly interview with that officer, for the purpose of arranging the terms of his own surrender. The instrument is formed of a small bar of steel, having four sharp curved blades projecting from it; a ring is fixed at each end of the bar, and the fore and little fingers of the left hand being each put through one of these rings, which are ornamented so as to have the usual appearance of finger rings, the weapon is used in the moment of embrace.

The business of the day was concluded by the reading of a further portion of Capt. Low's Digest of Siamese Law. The section selected was that upon parental authority, and the mutual obligations of a family.

Children are clothed for the first time at the age of five or six years, and after this they are not uncovered for chastisement. The parent has the power of selling his children before they are arrived at years of discretion, but this is seldom done unless from absolute necessity: and Capt. Low refutes an assertion of La Loubère to the effect that the Siamese, when offended with their daughters, sell them to a person who has a legal right to make them courtezans. Next to the reciprocal duties of parent and child are those binding on teacher and pupil, the detail of which introduces a brief exposition of the systems of education in use among the Siamese, which agree very closely with those of the Burmese. Priests are not permitted to become teachers to the female sex, who are therefore instructed by their parents and brothers: and the management of the temporal affairs of their husbands forms a principal branch of their education.

*Saturday, March 14th.*—The anniversary meeting of the Society was held this day (the 15th falling on Sunday) at one o'clock P.M.; the Right Hon. the President in the chair.

The minutes of the last general meeting were read and confirmed; after which

\* Vide Capt. Grant Duff's *History of the Mahrattas*.

which the president proceeded to move four resolutions for the union of the Madras Auxiliary Society with the Royal Asiatic Society. The resolutions (which were the same in substance as those passed on the 3d of January for the union of the Bombay Literary Society with this Society\*) were moved, *seriatim*, and voted *nem. con.* The president then moved that the Council be authorized to propose similar terms for the adoption of the Asiatic Society of Bengal and the Madras Literary Society, as have been agreed upon with respect to the Bombay Literary Society, and the Madras Auxiliary Society; which was carried.

The secretary next read the Council's report of the Society's proceedings during the past year, as follows:—

#### COUNCIL REPORT, 1829.

"The Council of the Royal Asiatic Society feels much satisfaction in being able to present to the members a favourable report of the Society's proceedings during the year that terminates this day.

"The principal events that have occurred since the last anniversary are the union of the Bombay Literary Society to this Society, and the establishment of a Literary Society at Madras, under the title of the Madras Auxiliary of the Royal Asiatic Society.

"The Bombay branch of the Royal Asiatic Society was incorporated with this Society at the special general meeting held on the 3d of January, and resolutions for adopting the Society recently established at Madras into this Society will be submitted to you for confirmation in the course of this day's proceedings.

"The advantages that appear to be likely to accrue to Oriental literature from the union of this Society with those established in Asia, make the Council desirous of forming connexions with the Asiatic Society of Bengal, and the Literary Society of Madras; and you will this day be requested to authorize an invitation to those Societies to unite themselves to this institution, on the same principles that you have approved in relation to the Literary Society of Bombay.

"The papers that have been read at the general meetings during the past year, prove that the members do not relax in their efforts to maintain the character of the Society; and the Council considers itself warranted in depending on the great and varied talents of the members and their friends for a constant, abundant, and diversified supply of original communications.

"It having been found that the six separate copies of such papers as are printed by the Society were not generally sufficient for the authors or contributors, the number has been increased to twenty-five. This alteration has been confirmed by you, and it is hoped will be an additional incentive for contributing to the Society's *Transactions*.

"The first part of the second volume of your *Transactions* was published at the commencement of the present year. This section contains the papers read at the general meetings to the end of 1828, and the Council indulges the hope that it will not disappoint the expectations and wishes of the members.

"Before the close of the present session, the Council will possess sufficient materials to complete the second volume; and although the expense of printing the last fasciculus, with its numerous plates, was very great; yet depending on the members uniting with the Council in endeavouring to increase the Society's

ciety's annual income by the introduction of new members, it will have the remainder of the volume printed before the next anniversary.

"The Society has to lament the decease of Dr. Nicoll, late Regius Professor of Hebrew in the University of Oxford, whose profound and extensive learning, and amiable manners, obtained the admiration and esteem of all those who were acquainted with him; and of Mr. Walter Hamilton, whose highly valuable works on British India must be well known to most of the gentlemen now present. In addition to these individuals, the Society has lost the following members by death since the last annual meeting:—Capt. J. Blanshard; John Cotton, Esq.; Lieut. Gen. Mac Intyre; Sir Henry Torrens; D. Vanderheyden, Esq.; Col. Weguelin; Earl of Liverpool; James Sutherland, Esq.; Capt. Geo. Evelyn, and Sir R. Barclay.

"The hope that was expressed at the formation of the Society, that intelligent natives of the East might be invited to make researches into their own history, literature, and antiquities, seems now in a train of accomplishment; and this Society, to show that it highly appreciates their literary labours, has elected Baboo Radhacant Deb of Calcutta, and Ram Raz of Madras, corresponding members.

"The Raja of Satara having displayed great zeal in the promotion of useful knowledge among his subjects, and having munificently contributed to the foundation of the Elphinstone Professorships of European literature and science at Bombay, has been elected an honorary member. The Council have great pleasure in learning that a similar foundation has recently been determined upon by the native inhabitants of Bombay, in testimony of their high respect for the memory of the late Chief Justice West.\*

"The Council now proceeds to the enumeration of the principal donations to the Society's library and museum during the last year, and experiences great satisfaction in thus recording the liberality of many of its members.

"The Hon. East-India Company, in addition to its munificent annual donation of one hundred guineas, has presented the continuation of the extremely valuable Indian *Atlas*, which is in the course of publication. The Imperial Academy of Sciences at St. Petersburg has presented to your library, through His Excellency the Russian Ambassador, a complete set of its *Transactions*, which contains many papers on Asiatic subjects, particularly in the early volumes. Your collection of translations of the Bible has been rendered nearly complete by successive donations from the British and Foreign Bible Society. A large and curious collection of African curiosities has been added to your museum by the Literary Society of Madras. Sir A. Johnston has, during the past year, exceeded his accustomed liberality. His donations of books and articles for the museum are too numerous to be particularized; the Council is therefore obliged to limit itself to the mention of an unique collection of maps and charts of Ceylon, and a large collection of coloured drawings illustrative of the Buddhism and demonology of that island. It is to Sir John Malcolm that you are principally indebted for the union of the Bombay Literary Society with this institution: he has since transmitted a mummy, which reached your museum in an excellent state of preservation. Sir Gore Ouseley has presented to your library a copy of his brother's travels in Asia, and to your museum a very curious Persian painting. Sir G. Staunton, whose liberality to this Society still remains without a parallel, has added to your library several valuable works on astronomy and philology. Col. Briggs has laid

laid the foundation of a collection of models of Asiatic machines, by presenting models of the various kinds of agricultural implements used in the Deccan. To Richard Clarke, Esq. your museum is indebted for a small but very beautiful collection of Malabar birds; and Dr. Adam Clarke has given models of two Singhalese temples which were made in Ceylon for Sir A. Johnston, and presented by that gentleman to the donor. A very large collection of Australian articles, principally from Mannicolo and Tucopia, has been presented by Capt. Dillon, who collected them during the arduous voyage, by which he succeeded in ascertaining the place where the lamented *La Perouse* was wrecked. Major General Hardwicke has made several valuable additions to the Society's collection of military weapons, which is probably now one of the most extensive collections of Oriental arms in England. The expensive and beautiful works on the Natural History of India, published by Drs. Russel and Roxburgh, have been added to your library by the liberality of Thomas Snodgrass, Esq. Col. Tod has presented a very curious pictorial history of Méwar, the outlines of which will be published in his forthcoming *History of Rajpootana*; and has announced his intention of bequeathing his curious and valuable library of Oriental MSS. and printed books to the Society. The Literary Society of Bombay having sent several copies of specimens of the Zend and Pahlevi languages, which were lithographed at the expense of Mr. Romer, a member of the Council of that presidency, they have been distributed among the principal literary establishments and Oriental scholars in Europe.

"Although the donations to the library already enumerated are numerous and valuable, and many others have been received which want of time will not allow to be mentioned in detail, yet the Council cannot avoid expressing its regret at the slow progress made in the formation of a library. The hope is, however, still indulged that, either by donation or bequest, a respectable library may be formed.

"The Society has had occasion to regret that severe illness has deprived it, for some months, of Mr. Colebrooke's invaluable services; but the Council feels a real pleasure in announcing that there is a favourable prospect of his being soon able to resume the discharge of his duties as director.

"In conclusion, the Council congratulates the members on the general progress that has been made in the attainment of the objects for which the Society was established."

It was moved, seconded, and carried unanimously, that the report of the Council be received and printed.

Colonel Baillie delivered the auditor's report of the result of their inspection of the treasurer's accounts up to this day, from which it appeared that the receipt for the year ending 31st December 1828, amounted to £1,231. 7s., and the expenditure for the same period to £1,581. 15s. 6d. The receipts from the 31st December 1828 to the 11th inst. were £641. 8s., and the expenditure £676. 10s. 7d., leaving a small balance due to the treasurer this day. The estimated receipts for the current year, supposing the whole amount of arrears due to be recovered, is £1,769. 4s., and the estimated expenditure £1,531. 13s. 6d.

Col. Baillie read a letter from the treasurer apologizing for his absence, and recommending a strict attention to economy in consequence of the heavy expenses to which the Society is at present subject.

The thanks of the meeting were voted to the auditors for their report; after which Sir Alexander Johnston, as chairman of the Committee of Correspondence,

pondence, rose and delivered a verbal report of the proceedings of that Committee during the past year.

Sir A. Johnston commenced by stating, that the objects, to which the attention of the Committee of Correspondence had been principally directed during the past year, were six in number, viz. the astronomy, mineralogy, (including geology), botany, zoology, architecture, and history of the people of Asia. Under the first head, they had been favoured with a set of instructions for applying astronomical observations in India to the most useful ends, by Mr. Stephen Lee, which instructions had been forwarded to each of the three presidencies in India; they had also caused the astronomical instruments in the Society's possession to be examined and described; the Arabic globe had been inspected by Dr. Dorn, and the result of his examination was detailed in a paper recently read before the Society. A Hindu astrolabe, presented by Col. Caulfield, and a Maldivian forestaff presented by himself (Sir A. J.), had been sent to a practical mathematician at Glasgow, who had devoted considerable attention to this description of instruments, and it was expected that much information would be elicited from the comparison of these with instruments of a similar description used by the ancient Greeks. The Committee had also turned its attention to the collection of MS. and other maps, for the illustration of Asiatic geography; and the Society had been favoured, by the liberality of the Russian government, with a copy of a very valuable Russian map of Northern Asia, which, as was naturally to be expected, is the most complete and extensive yet produced.

For the assistance of persons engaged in inquiries connected with natural history in Asia, Sir Alexander stated that the Committee had obtained from Dr. Fitton copies of the instruments, accompanied by maps, prepared by him for the use of the officers engaged in the ordnance survey at present going on. The Committee had also, in furtherance of their views in this respect, given every assistance in their power to M. Victor Jacquemont, a travelling naturalist employed by the French government, by furnishing him with letters of introduction, &c. to the governors and literary societies of the Indian presidencies; in return for which, M. Jacquemont had promised to forward duplicates of his collections to this Society.

From Dr. Wallich the Committee expect great assistance in the prosecution of their researches into the botany of India, when he has completed the splendid work on which he is at present engaged, by furnishing the Committee with scientific instructions for the guidance of gentlemen engaged in that pursuit; in illustration of the importance of which, Sir Alexander mentioned the vegetable dyes, woods, and plants so extensively used in manufactures and trade; and the number of which might no doubt be considerably augmented by research properly directed. Sir Alexander here took occasion to enlarge on the value of individual exertion in the prosecution of scientific researches, and the effects which the introduction of a single new commodity sometimes had upon the trade and commerce of nations; adducing, as instances, the potatoe, tobacco, &c. &c.

For preserving zoological collections, the Committee were indebted to Mr. Clift, of Surgeons' Hall, for copies of instructions, principally drawn up by the late John Hunter: and Mr. Samouelle had communicated copies of his directions for the collection and arrangement of entomological specimens. With respect to the architecture of India, the Committee had endeavoured to procure a complete copy of the *Silpi Sastra* to illustrate the principles of the religious architecture of the Hindus; and had ascertained the existence of a report

report on the Saracenic architecture of the fourteenth century in one of the libraries of Spain. Much information upon the sculpture of the Hindus was contained in the collection of Col. Mackenzie, and Sir Alexander expected to receive a system of the art from the Rajah of Tanjore; it was to afford this prince an idea of the sculpture of Europe, that Sir A. Johnston had forwarded to him the bust of Nelson, by the late Hon. Mrs. Damer. In Col. Mackenzie's collection were a vast number of inscriptions, which it would be of importance to have translated, and Drs. Dorn and Rosen had been engaged in examining the inscriptions at the British Museum, India House, &c., with a view of ascertaining which it would be best to translate. Dr. Dorn had in consequence undertaken to translate all the Pahlavi inscriptions, without stipulating for any remuneration whatever. As a specimen of the painting of the South of India, Sir Alexander referred to a box which he presented to the Society, which had formerly belonged to Mungama, Queen Regent of Madura.

The history of the people of India the Committee wished to illustrate by researches into their laws, through all their subdivisions and modifications; the divisions into castes, their landed tenures, &c., of which Sir Alexander remarked, that the great moral and political effects of the division of the people into castes, rendered that institution an object of the greatest interest. Sir Alexander proceeded to enlarge upon the new sources of information recently opened to the Society through the researches of Baron Meyendorff in Khiva, Bokhara, &c.; those in which Baron Alex. Humboldt is about to engage, to investigate the Ural and Caucasian mountains; the journey in which M. Jacquemont has recently embarked for the investigation of the natural history of India, particularly its geology and mineralogy; and the readiness and cordiality with which the new commanders-in-chief appointed for India, Lord Dalhousie and Sir Edward Owen, had promised to exert all the influence of their high stations to further the objects of the Society. Sir Edward Owen will in particular devote his attention to a complete survey of the Maldivé islands, and the coral formations which surround them.

Sir Alexander next referred, in terms of high commendation, to the zeal shewn by Mr. Wynn in the promotion of knowledge in relation to Asia, by the donation of his writerships as prizes, and to the boon conferred by him on the natives of India in the introduction of the Indian jury act; the bequest of Colonel Boaden to the University of Oxford, for founding a Sanscrit professorship there; the announcement by Colonel Tod of his having bequeathed the Oriental portion of his library to the Society; and the interest shewn by Lord William Bentinck, Mr. Lushington, and Sir John Malcolm in the Society's views, as indicative of the increased interest felt in the promotion of Oriental literature.

Sir Alexander also referred to the election of the Rajah of Satara as an honorary member of this Society, in consequence of his munificent patronage of the establishment of European professorships at Bombay, in honour of Mr. Elphinstone, the late governor of that presidency; and in alluding to the different instances which had recently occurred in India, of the natives of that country indicating a strong propensity in favour of literature, Sir Alex. Johnston, at some length, highly eulogized the enlightened principles displayed by the natives of Bombay, in their address of condolence upon the death of the late Chief Justice Sir Edward West, to the two surviving judges, in which address they express their greatest gratitude to the Legislature of Great Britain for having extended to them the right of sitting upon juries; and conceiving that the best way of enabling their countrymen to preserve those privileges and to exercise

cise them to the benefit of their country is by making establishments for their intellectual improvement, they had vested a sum of money in the funds of Bombay for the endowment of one or more scholarships, and the distribution of one or more annual prizes, according to the amount of interest realized from the total fund, to be denominated "Chief Justice West's Scholarships and Prizes," out of respect to Chief Justice West, who, while on the one hand, he taught them how to enjoy the privilege of juries, on the other hand was the great patron of education amongst them.—(Sir A. Johnston here read an extract from the address, for which see p. 364.)

Sir A. Johnston proceeded to observe, that the effect which had been thus produced in favour of education and literature amongst the natives of Bombay, by the act of Parliament extending to them the right of sitting upon juries, shewed distinctly what advantages may be derived by literature in India, as well as in other parts of the world, from all measures founded upon a knowledge of human nature and liberal principles, whenever the benevolent intentions of the Legislature are explained to the natives of India, and fully and judiciously adapted to their local circumstances, manners, and feelings, as they have been in the instance of the native inhabitants of Bombay by the late Chief Justice West. Sir Alexander concluded by adverting to the great support which the Society is receiving in the prosecution of its extensive views.

The president observed, that he was sure it would be needless to move formally the thanks of the Society to Sir A. Johnston for his report, and that he be requested to reduce it to writing, for the purpose of its being printed with the Society's *Transactions*. He remarked that the progress of Oriental literature in this country was very satisfactory; and that a vast deal of information was deposited in the libraries here, particularly that of the East-India Company, which it would be most desirable to have published. The highly valuable reports of Sir John Malcolm and Mr. Elphinstone were specimens of what was contained in those receptacles, and at present hidden from the world. With respect to the writerships, which had been mentioned in so flattering a manner, his motive in proposing them for prizes was a conviction of the necessity of persons well educated in European literature being sent to fill stations of such responsibility as the servants of the East-India Company were frequently placed in. The other subject which had been mentioned with reference to him by Sir A. Johnston, viz. the introduction into India of the trial by jury, was in fact attributable to Sir A. Johnston himself, as it was brought forward in consequence of the happy effects which had resulted from a similar measure, when introduced by Sir Alexander into the island of Ceylon. The union of the Societies in India with this, now began to illustrate practically the motto of the Society, which was suggested by the late lamented Bishop of Calcutta, Reginald Heber, "*Quot rami, tot arborea.*" The president concluded by expressing a hope that the simile might be carried still further, by the institution of branch societies from those already established in India.

The thanks of the meeting were moved to the president by Sir A. Johnston, and seconded by Sir G. Staunton. The president returned thanks.

The thanks of the meeting were voted to Mr. Colebrooke, accompanied by the expression of the regret of the meeting at his long and and severe illness.

The thanks of the meeting were voted *seriatim* to the vice-presidents, treasurer, secretary, and librarian. In moving thanks to the latter officer, occasion was taken by Colonel Doyle for noticing the deficiencies observable in the contents of the Society's book-cases, and expressing a hope that they would be speedily filled up by the liberality of the members.

J. S. Penleaze, Esq. and G. Higgins, Esq. having been nominated scrutineers, then proceeded to examine the balloting lists, and reported that the following eight members had been withdrawn from the Council, *viz.*

His Grace the Duke of Somerset; Sir C. Forbes, Bart.; Lieut. Col. Briggs; Major Gen. Hardwicke; G. C. Haughton, Esq.; A. Macklew, Esq.; F. H. Toone, Esq.; and Colonel M. Wilks; and that the eight following were elected in their room, *viz.* Earls Spencer and Amherst; Lord Ashley, M.P.; the Hon. M. Elphinstone; Colonel Baillie, M.P.; Major J. R. Carnac; J. F. Davis, Esq.; and Wm. Marsden, Esq.

The officers were reported as follows:—The Right Hon. C. W. Williams Wynn, M.P., president; H. T. Colebrooke, Esq., director; the Right Hon. Sir G. Ouseley, Bart., Sir G. T. Saunton, Bart., Sir Alexander Johnston, Kt., and Lieut. Col. Fitzclarence, vice presidents; James Alexander, Esq., M.P., treasurer; secretary (vacant); Lieut. Col. Tod, librarian.

It was then announced that the next general meeting would be held on Saturday the 4th of April, and the meeting adjourned.

## DEBATE AT THE EAST-INDIA HOUSE.

*East-India House, March 18, 1829.*

A Quarterly General Court of Proprietors of East-India Stock was this day held at the Company's House in Leadenhall Street.

The minutes of the last General Court were read.

### THE HON. COMPANY'S ACCOUNTS.

The *Chairman* (W. Astell, Esq. M.P.)—"Gentlemen, with reference to what I stated at the General Court held on the 17th Dec. last, as to the annual accounts of the Company not being then in readiness to be laid before you, in conformity with the by-law, I have now to announce that the account of the Company's stock, per computation, for the year ending the 1st of May 1827, for India, and for the year ending the 1st of May 1828, for England, are laid on the table."

### PARLIAMENTARY PAPERS.

The *Chairman*.—"Gentlemen, certain papers which have been prepared and laid before Parliament since the last General Court, in accordance with the by-law, are now laid before you.

The titles of the papers were then read. They were, warrants or instruments for granting any pension, gratuity, or allowance to the Company's servants, under the act of 53d Geo. III. cap. 155; and also warrants or instruments for granting superannuation allowances to the servants of the Commissioners for the Affairs of India, under the said act.

### EAST-INDIA WRITERS' BILL.

The *Chairman*.—"Gentlemen, I have now to acquaint you that this Court is made special, to lay before you a bill, the *Asiatic Journ.* Vol. 27. No. 160.

provisions of which will relate to the appointment of writers in the Company's service. You will recollect that, three years ago, a law was enacted on this subject, which law is now about to expire, its provisions having been confined to a limited period. It was then thought expedient to dispense with the existing law, which rendered it imperative on every writer to pass four terms in Haileybury before he could proceed to India. Now, it is the object of the present bill to extend the provisions of that act to the year 1834. It is a very short act, and its provisions are perfectly simple.

Mr. *S. Dixon*—Is it introduced from the Company?

The *Chairman*.—Yes, Sir, from the Court of Directors.

The clerk then read the title of the bill, as follows:

"A bill to continue until the 10th of April 1834, the operation of an Act of the 7th year of his Majesty's reign, suspending the provisions of an Act of his late Majesty respecting the appointment of Writers in the service of the East-India Company, and to amend the provisions of an Act of the 47th year of his late Majesty, so far as they relate to the period of residence at Hertford College, as a qualification for certain offices."

The *Chairman* was then about to put the question of adjournment, when

General *Thornton* said he wished, before the Court rose, to make one observation on this subject. When the Court of Directors last brought forward a bill of this nature he did not oppose it; but he expressed a wish that it had been introduced, not as a temporary, but as a permanent measure. That he was convinced, in every point of view, would have been  
the



the best way; because, if it had been found necessary, by a change of circumstances, it would have been easy to have procured its repeal. He, however, particularly approved of it, as affording to the young men an opportunity of procuring education wherever it was most convenient to their parents; and since that, still stronger reasons induced him to approve of the measure. One of these reasons was, that there were now, he believed, Oriental professors at the London University, as well as others in London and its neighbourhood; therefore, he was in hopes that young men could be educated as well in those seminaries as at Haileybury, and that, too, without any expense to the Company. For his own part, he thought that they ought to be educated at their own expense, as other individuals intended for different professions were. Let them look, for instance, at those who were destined for the church. Those individuals were educated at their own expense; and he could not see why the same course should not be taken with respect to persons who were appointed to profitable situations in India: they unquestionably ought to provide for their own education, and ought not to put the Company to any expense whatsoever. He had been informed (and he wished to ascertain the real state of the fact), that, under the late act, or rather that which was to expire, the examination as to the proficiency of the young men in the Oriental languages was not deemed necessary. This he conceived ought not to have been the case, especially as there was an Oriental professor at the London University and elsewhere, by whom they might have been examined with respect to their Oriental knowledge: he therefore could not see why they were not examined as to their skill in the Oriental tongues. Such a branch of knowledge he looked upon as indispensable; and, in his opinion, the young men ought not to be passed until they displayed sufficient proficiency in the knowledge of those languages.

The *Chairman* said that one of the objects, relative to which the gallant general was so anxious, would be effected by the present bill, which, as it would extend to the year 1834, when the Company's exclusive privileges would expire, was a permanent measure. As to the examination in the Oriental languages, of which the gallant general had spoken, it was not deemed necessary in the original plan, the examination being confined to mathematics, classics, and ancient and modern history.\*

\* "Plan for the examination of candidates for admission to the civil service, who have not resided at the College of Haileybury.

"The candidates will be examined in the Greek Testament, and in some of the works of the following Greek authors, viz. Homer, Herodotus, Demosthenes, or in the Greek plays; also in some

It would be for the Court of Directors hereafter to determine whether it would be proper to alter the plan of examination. He could not hold out to the gallant officer hopes that any benefit was likely to be received from the Oriental professor at the London University, as the examination which took place at the India House was conducted by professors from the Universities of Cambridge and Oxford.

Mr. *S. Dixon* said he was totally ignorant of the nature of the bill then before the Court, and it would not, therefore, be too much perhaps if the several clauses were read short for the information of the proprietors. He did not wish the bill to be read through; but he should like to know the nature of the different clauses, in order that he might procure that information which, he conceived, he did not possess at present. As a matter of favour, he wished the heads of the clauses to be read, that he might understand clearly the object of the bill.

The *Chairman* said he thought he had explained the nature and object of the measures so that every gentleman might understand; but, as it was a very short bill, it might, as well be read.

Mr. *Rigby* observed that, having just come to town, he knew nothing of the bill; it would, therefore, be satisfactory to him if the suggestion of the hon. proprietor were complied with.

Mr. *Wigram* said he would briefly state the object of the bill, which he conceived would be sufficient. By the law, as it formerly stood, every writer, before going out to India, was obliged to take up his residence, during three terms, at Haileybury College. Three years ago a bill was brought in to suspend the operation of that law, and to enable students to receive their education elsewhere, under such rules and regulations as the Court of Directors and the Commissioners for the Affairs of India might agree to. The provisions of that bill were now about to expire, and the present measure was to continue the suspension as to the necessity of residing during four terms at Haileybury College, until the year 1834. This was the plain object of the measure, unencumbered by technicalities.

The bill was then read at length by the clerk, and notice having been given by Mr. Trant of a motion for the next Quarterly General Court regarding the land revenue of India, the Court adjourned.

of the works of the following Latin authors, viz. Livy, Cicero, Tacitus, and Juvenal, which part of the examination will include collateral reading in ancient history, geography, and philosophy.

"They will also be examined in mathematics, including the four first and sixth books of Euclid, algebra, logarithms, plane trigonometry, and mechanics.

"In modern history, principally taken from *Russell's Modern Europe*, and in *Foley's Evidence of Christianity*.

## ASIATIC INTELLIGENCE.

## Calcutta.

## GOVERNMENT GENERAL ORDERS.

## OFFICIATING INTERPRETERS.

*Head-Quarters, Simla, Aug. 22, 1828.*

—The Commander-in-chief is pleased to direct, that officers who may be selected to officiate as interpreters with other corps which have no qualified officer present, are to be considered as an exception to the rule laid down in General Orders of the 2d Jan. 1821, and are to be appointed to the charge of a troop or company in the regiment to which they are attached, with reference to the dates of their commissions, and not as the juniors of their respective ranks.

## STANDING ORDERS FOR THE NATIVE INFANTRY.

*Head-Quarters, Simla, Sept. 1, 1828.*—The Right Hon. the Commander-in-chief having been pleased to approve and sanction a set of standing orders for the Native Infantry of Bengal, has directed them to be printed, and to be sent to each regiment of the line, from the Adjutant-general's office.

His Excellency directs that no standing orders be issued in any regiment, and no usages sanctioned, which are contrary to the spirit of any part of these regulations. Any such orders which may now be in force are to be cancelled.

Every officer in the Native Infantry will be expected to provide himself with a copy of these standing orders.

## OFFICERS EXCHANGING FROM ONE REGIMENT TO ANOTHER.

*Head-Quarters, Simla, Sept. 4, 1828.*—

With the view of obviating the doubts and difficulties which have occasionally arisen in consequence of exchanges from one regiment to another, sanctioned by the Commander-in-chief, his Excellency signifies to the army, that in the spirit of the orders of the Hon. the Court of Directors, published by the Governor-general in Council on the 13th of May 1825, officers so exchanging, and entering their new regiments as juniors of their rank, are to be considered as having stepped into the situation of the officer with whom the exchange shall have been made, and consequently are not liable to be superseded in consequence of casualties in Europe, or elsewhere, which may have occurred previously to the date of the exchange, but not known to the Commander-in-chief at the time it was sanctioned.

## FACINGS OF THE NUSSEREE BATTALIONS.

*Head-Quarters, Simla, Sept. 15, 1828.*

—The Commander-in-chief is pleased to direct, that the facings of the 1st and 2d Nusseree battalions, and of the Sirmoor battalion, should be black instead of red.

The officers commanding these corps will make the necessary alterations in the next indents which they make for coats.

## MEDICAL DEPÔT AT SAUGOR.

*Fort William, Sept. 19, 1828.*—The

Governor-general in Council directs that the Medical Depôt at Saugor be abolished from the 1st of November next.

## STUDY OF THE NATIVE LANGUAGES.

*Fort William, Sept. 26, 1828.*—The

Governor-general in Council is pleased, at the recommendation of his Exc. the Commander-in-chief, to resolve, that every subaltern officer who may hereafter pass an examination in the native languages, and obtain certificates of having acquired the degree of proficiency required by the regulations of the service in the Hindoostanee language, shall be entitled to draw the pay of a moonshee for six months, at the rate of thirty rupees per mensem; and should the student likewise have acquired the same proficiency in the Persian language, the pay for a moonshee will be allowed for an additional period of six months.

## TRAVELLING CHARGES.

*Fort William; General Department, Oct. 2, 1828.*—In furtherance of a resolution adopted in the financial department, the following orders have been passed, and are published for general information.

From and after the 1st Oct. 1828, travelling charges will not be allowed to civil servants, nor to military officers and others employed in the civil department when proceeding from one station to another, upon change of their appointments or otherwise, unless the same shall be specifically granted by order of Government.

From the above rule are excepted:

1st. Students of the College appointed to stations, when entering on active service.

2d. Assistant surgeons appointed to do duty at civil stations on their first arrival in India.

## INDIAN ALLOWANCES.

*Fort William, Oct. 3d, 1828.*—The Right Hon. the Governor-general in Council hereby cancels the regulations pub-

published in General Orders, No. 99, of the 12th May 1826, authorizing officers proceeding under certain circumstances therein specified, from a subordinate station under the presidency to which they belong to the seat of government of another presidency, for the purpose of finding a passage to Europe, to draw Indian allowances up to the date of their departure from the presidency to which they have so proceeded; the Hon. the Court of Directors having stated, that they are precluded by law from confirming the indulgence in question.

#### ARRACAN PROVINCIAL BATTALION.

*Fort William, Oct. 17, 1828.*—The Governor-general in Council has been pleased to determine that the police corps employed on civil duties in Arracan, under the directions of the commissioners of the province, shall henceforth be designated the Arracan Provincial Battalion; and to notify that the corps is declared subject to the same regulations, regarding discipline, promotion, and general liabilities, as have been established for the maintenance of order and efficiency in all other provincial battalions.

#### COURTS-MARTIAL.

LIEUT. W. H. W. MIDFORD.

*Head-Quarters, Simla, Sept. 3, 1828.*—At a European general court-martial, re-assembled at Agra on the 13th Aug. 1828, of which Lieut. Col. J. Delamain, C.B., 58th regt. N.I., is president, Lieut. Wm. Herbert Wood Midford, of the 2d European regiment, was arraigned on the undermentioned charge:

*Charge.*—With having, at Agra, on the evening of the 15th June 1828, conducted himself in an ungentlemanly and disgraceful manner, in falsely accusing Ensign (now Lieut.) Tayler, of the 1st European regiment, of being drunk on duty, and calling that officer “a damned coward,” and addressing him in other intemperate and obscene language, Ensign (now Lieut.) Tayler having given to Lieut. Midford no just cause of offence.

Such conduct being unbecoming the character of an officer and a gentleman.

Upon which charge the court came to the following decision:—

*Finding and Sentence.*—The court, after deliberation on the evidence adduced in support of the prosecution, together with what the prisoner has urged in his defence, finds him guilty of the charge exhibited against him, which being in breach of the articles of war, does therefore sentence him, Lieut. W. H. W. Midford, of the 2d European regiment, to be discharged the service of the Hon. Company.

Approved,

(Signed) COMMERCIERE,  
General, Com.-in-chief.

*Recommendation of the Court.*—The court having performed a painful, but yet what they consider an imperative duty, in pronouncing a sentence of dismissal upon the prisoner, nevertheless think that he is a fit object for the mercy of his Exc. the Commander-in-chief, partly on account of his youth, but more particularly because nothing of any moment appears to the prejudice of his character, as it is given in the answers of his commanding officer and a captain of his corps, to the questions put to them, and on account of the contrition which he has expressed, and appears to feel, for his offence.

Remarks by the Right Hon. the Commander-in-chief:—

The Commander-in-chief, fully approving the sentence pronounced by this court-martial, hardly feels himself justified in restoring to the service the individual who has been convicted of conduct unbecoming the character of an officer and a gentleman; considering, however the recommendation of the court, and the grounds on which it is founded, trusting also that Lieut. Midford will also fully redeem the pledge he has given, “never again to be guilty of such a breach of the rules of decorum and good breeding,” his Lordship, on condition that Mr. Midford makes a satisfactory and public apology to Lieut. Tayler, is pleased to mitigate the penalty awarded to a loss of regimental rank, by placing him at the bottom of the list of lieutenants, next below D’Arcy Johnston lieut., his regimental commission bearing date 14th June 1828.

The officer commanding at Agra will be pleased to assemble the officers of the 1st and 2d European regiments, and after reading the proceedings of this court-martial, will call upon Lieut. Midford to make the required apology in their presence; when, should it be satisfactory, Lieut. Midford is to be released from arrest, and to return to his duty, in the rank now assigned to him.

By order of his Exc. the Commander-in-chief.

C. FAGAN, Adj.Gen. of the Army.

LIEUT. E. KEILY.

*Head-Quarters, Simla, Sept. 17, 1828.*—At a general court-martial, held at Dinapore on the 10th June 1828, Lieut. E. Keily, H.M.’s 13th Light Infantry, was arraigned on the following charges:

*1st Charge.*—For conduct subversive of good order and military discipline, in the following instances, viz.

1st. For having forwarded in the letters of the 10th, 11th, 13th, 16th, and 17th of April 1828, addressed direct to his commanding officer, Lieut. Colonel Sale, C.B., copies of epistolary papers, under the pretence of their being connected with matter

matter which had been referred for decision to his Exc. the Commander-in-chief, whereas such papers are irrelevant to the matter so referred, and were intruded by Lieut. Keily, upon his commanding officer, from a spirit of litigiousness, tending to disturb the harmony and good order obtaining among the officers of H.M.'s 13th Light Infantry.

2dly. In having, on the 18th of April 1828, addressed direct to his commanding officer a letter of an unbecoming and disrespectful character, and having therein called upon Lieut. Colonel Sale to forward to head-quarters a copy of the proceedings of a regimental court-martial held in the month of April 1827, thereby interfering with a case in which he (Lieut. Keily) had not been concerned, and which had long since been decided upon by his commanding officer; and further, having evinced in the said letter a disposition to call in question the decision of his commanding officer regarding a circumstance connected with the case referred to.

2d Charge.—For conduct unbecoming the character of an officer and a gentleman in the following instances:

1st. For having, both verbally and in a letter of the 13th of April 1828, denied having ever had any intention of bringing forward to the notice of "higher authority," or of the Commander-in-chief, "Mr. Moorhouse's business;" such denial being a wilful falsehood, he (Lieut. Keily) having previously declared, verbally and in writing, that he did intend to bring that "business" to the notice of the Commander-in-chief.

2dly. For having, about the end of April or beginning of May 1827, made use of expressions tending to reflect on the conduct and character of Lieut. Moorhouse, of H.M.'s 13th Light Infantry, as an officer and a gentleman; when taxed by Lieut. Moorhouse with having done so, solemnly asseverating that he never had; such denial being a wilful falsehood.

3dly. For having, when called upon by Lieut. Moorhouse to state in writing, according to a promise previously given by him, that he had not made use of expressions tending to reflect upon his (Lieut. Moorhouse's) character, threatened to bring the proceedings of a regimental court-martial, held in April 1827, to the notice of his Exc. the Commander-in-chief, thereby endeavouring to evade fulfilling his promise, and evincing a determination to interfere with and cavil at the decision of his commanding officer.

Upon which charges the court came to the following decision:

*Finding.*—The court having maturely weighed and considered the evidence in support of the prosecution, as well as what the prisoner has brought forward in his defence, is of opinion, on the 1st count 1st

charge, that the prisoner, Lieut. E. Keily, H.M.'s 13th Light Infantry, is guilty of forwarding with the letters of the 13th, 16th, and 17th April, direct to his commanding officer, copies of epistolary papers, under pretence of their being connected with matter which had been referred for decision to his Exc. the Commander-in-chief, such papers being irrelevant to the matter so referred; but acquit the prisoner of evincing a spirit of litigiousness tending to disturb the harmony and good order of H.M.'s 13th regiment of foot.

On the 2d count of the 1st charge, the court is of opinion that the prisoner is guilty.

On the 1st count of the 2d charge, the court is of opinion that the prisoner is guilty.

On the 2d count of the 2d charge, the court is of opinion that the prisoner is guilty.

On the 3d count of the 2d charge, the court is also of opinion that the prisoner is guilty.

*Sentence.*—The court having found the prisoner, Lieut. E. Keily, of H.M.'s 13th Light Infantry, guilty of the 1st charge, with the exception of the above-mentioned portion of the 1st count, and of all and every part of the 2d charge preferred against him, do sentence him to be dismissed his Majesty's service.

Not confirmed,

(Signed) COMBERMERE,

General, Com.-in-Chief.

Remarks by the Right Hon. the Commander-in-chief.

The Commander-in-chief has reason to be much dissatisfied with the proceedings of this court-martial.

It appears that on the court assembling on the 6th day, one of the members was taken ill, and obliged to withdraw; a sufficient number remaining, the court proceeded in the hearing of evidence for the defence. On the next day of assembly, the member who had withdrawn was allowed to resume his seat. This proceeding was so directly at variance with the practice of courts martial, and the principles of justice, that it may be held to affect the legality of the judgment of the court.

The Commander-in-chief further observes, with reference to the 1st count of the 1st charge, that although the court could not properly sit in judgment upon the letters of the 10th and 11th of April, which had been finally disposed of by his Lordship, they ought not to have refused the request of the prisoner to admit the letters in evidence, as proof that the epistolary papers referred to in the count were not irrelevant to the matter submitted to the Commander-in-chief as charged in the count.

Upon

Upon the 2d count, in the absence of any proof of the subject submitted to the consideration of the regimental court-martial, or of the nature of the "decision of his commanding officer," which the prisoner is charged with having called in question, the verdict of guilty is not consonant to the evidence.

The 1st count of the 2d charge appears to be substantiated, excepting the words "and in writing," of which part the proof adduced is not satisfactory.

The concluding averment of the 3d count is not supported by evidence.

His Lordship also, with reference to the 2d and 3d counts of the 2d charge, records his decided disapprobation of bringing an individual to trial for offences of such a nature after the lapse of twelve months, and when no manifest impediment appears to have prevented their being investigated at, or shortly after, the period of their occurrence.

Although the irregularity before observed has rendered nugatory the sentence of this court-martial, the Commander-in-chief considers that the evidence adduced on the trial has clearly proved that Lieut. Keily's presence with the 13th Light Infantry can no longer be beneficial to the service, his Lordship will therefore submit the proceedings for the further commands of his Majesty.

Lieut. Keily is to be released from arrest, and without being permitted to do any further duty with the 13th Light Infantry, will proceed with the least possible delay to England, reporting his arrival to the Military Secretary at the Horse Guards.

The foregoing order is to be entered in the General Order-Book, and read at the head of every regiment in his Majesty's service in India.

## COURT OF INQUIRY.

### MAJOR GREVILLE.

*Head-Quarters, Simla, Sept. 20, 1828.*—The Court of Inquiry recently assembled for the purpose of inquiring into some particulars of the conduct of Major Greville, was distinctly told, that "the Commander-in-chief was desirous that every circumstance affecting the character of Major Greville, as an officer and a gentleman, might be fully and minutely investigated."

It was further directed, in closing its proceedings, "to record, in the fullest and most explicit terms, its opinion of the conduct of Major Greville, on every point affecting his character as an officer and a gentleman, involved in the case under consideration."

This full and explicit opinion the court has not recorded. It has erroneously supposed, that the important duty assigned to it was performed by its declaring, that "hav-

ing fully considered the whole matter, they are of opinion that Major Greville is reprehensible for commencing a controversy in a newspaper; but whatever instances of indiscretion, error, or mistake, may be found in his subsequent conduct, they fully acquit him of the imputation or suspicion of a want of courage."

As the court, in consequence of the contradictory evidence recorded on its proceedings, has declined giving an opinion on other points submitted to its consideration, and as the suspicion of the want of courage is not the only imputation by which the character of an officer may be affected, the Commander-in-chief, in justice to Major Greville, to his own sense of public duty, and to the army, so deeply interested in his strict and impartial discharge of that duty, is desirous that the conduct of Major Greville be referred to the highest military tribunal, and has accordingly directed that it be investigated by a general court-martial.

By order of the Commander-in-chief.

WILLOUGHBY COTTON,  
Adj.-gen. H.M.'s forces in India.

## CIVIL APPOINTMENT.

Sept. 25. Mr. John Muir, assistant to magistrate and to collector of Nuddea.

## ECCLIESIASTICAL APPOINTMENTS.

Sept. 12. The Rev. A. Hammond, chaplain to Old Church at Calcutta.

The Rev. H. S. Fisher, district chaplain at Barrackpore, and chaplain to Governor-general.

The Rev. J. D. Wintle, district chaplain at Barrackpore.

## MILITARY APPOINTMENTS, PROMOTIONS, &c.

*Fort William, Sept. 19, 1828.*—Lieut. Col. Com. Wm. Richards, commandant of Agra, to be a brigadier on estab., in suc. to Brig. Croxton, permitted to proceed to presidency preparatory to applying for furlough to Europe.

Lieut. Col. John Delamain, 58th N.I., to be commandant of fortress of Agra, v. Richards.

Surg. John Turner to be surgeon to Governor-general, from 12th Sept.

*Head-Quarters, Aug. 23, 1828.*—Lieut. T. Fraser to act as adj. to 7th L.C.; dated 16th Aug.

*Medical Staff.* Superintend. Surg. J. Sowers app. to Agra.—Superintend. Surg. G. Skipton (on leave to sea) removed from Agra to Saugor.—Superintend. Surg. C. Campbell app. to Cawnpore.

Aug. 26.—Lieut. W. Macgeorge, 3d Extra N.I., and Lieut. G. Abbott, 15th N.I., app. to pioneers.

Aug. 27.—14th N.I. Lieut. W. H. Richards to be interp. and qu. mast., v. Thorpe resigned.

61st N.I. Lieut. O. F. Turner to be interp. and qu. mast., v. Jenkins resigned.

Bareilly Prov. Bat. Lieut. E. J. Dickey, 14th N.I., to be adj., v. Macgeorge, removed to pioneer corps.

Assist. Surg. K. Mackinnon, app. to medical charge of 6th N.I., during absence of Assist. Surg. Stewart.

Aug. 28.—Veterinary Surge. posted to Corps. J. Ford to 1st L.C.; J. Harris, 2d do.; J. Purves, 4th do.; F. Rogers, 7th do.

Lieut.

Lieut. C. Hamilton, 29d N.I., to officiate as major of brigade to troops in Oude, during absence of Capt. Smalpage.

*Fort William, Sept. 26.*—Governor-General's Personal Staff. Capt. R. Benson, 11th N.I., to be an aide-de-camp, from date of his app. to situation of military secretary to Gov.-general.—Lieut. Col. Com. J. Vaughan, fort and town major of Fort William, to be a supernumerary aide-de-camp.—Major C. Fitzgerald, 6th L.C., to be an honorary aide-de-camp.

Lieut. Thos. Fleher, promoted from 2d to 1st class of deputy assist. qu. mast. gen., v. Capt. Neufville app. to command Rungpore L. Inf.

Capt. J. W. Hull, 14th N.I., to be a sub-assist. com. gen., v. Ebhart.

67th N.I. Lieut. and Brev. Capt. H. Lawrence to be capt. of a company, and Ens. H. Cotton to be lieut., from 19th Jan. 1828, in suc. to McMahon retired.

71st N.I. Capt. John Anderson to be major, from 14th July 1825, v. Lloyd retired; Lieut. E. Marshall, to be capt. of a comp., v. Anderson prom. with rank from 7th April 1826, v. Jaremie invalided; and Ens. G. W. Bishop to be lieut., v. E. Marshall, prom. with rank from 20th June 1826, v. Pollock dec.

Assist. Surg. Alex. Wardrop to be surg., from 14th Sept. 1828, v. Webb dec.

Cadets C. Hagart, R. Munro, W. J. Parker, and C. H. Wake, admitted to infantry, and prom. to ensign.

Messrs. A. C. Spurgeon and Christ. Garbett admitted as assist. surgeons.

Assist. Surg. Andrew Ross, to be surgeon, from 22d Sept. 1828, v. Law dec.

Surg. J. Swiney to be a superintending surgeon on estab., v. Law dec.

*Head-Quarters, Aug. 30.*—Ens. H. M. Nation app. to do duty with 23d N.I., at Moradabad.

Sept. 1.—6th Local Horse. Lieut. W. J. B. Knyvett, 38th N.I., to be 2d in command, v. Hodges resigned.—Lieut. J. Ewart, 55th N.I., to be adj., v. O'Hara removed to 2d local horse.

60th N.I. Lieut. W. Riddell to be adj., v. Cobbe removed.

Cancelled. 1st-Lieut. W. H. Graham, of engineers, to situation of adj. to sappers and miners.

Lieut. H. C. Wilson to officiate as interp. and qu. mast. to 25th N.I., v. Oldfield app. to commissariat department, dated 27th July 1828.

Sept. 4.—Lieut. Col. S. Smith (new prom.) app. to 8th L.C.

Lieut. Col. S. Reid removed from 8th to 7th L.C.

Riding Master M. Cochrane removed from 2d to 1st brigade horse artillery, at Cawnpore.

Sept. 5.—Ens. J. Hennessy app. to do duty with 20th N.I., at Kaitah.

*Fort William, Oct. 3.*—Assist. Surg. H. Bousfield app. to medical duties of civil station of Mynpoorie, v. Clarkson prom.

Cadets J. R. Pond, F. T. C. Hayward, and F. W. Mundy, admitted to infantry, and prom. to ensigns.

Lieut. H. J. Ximenes, 20th N.I., transferred to pension establishment.

*Head-Quarters, Sept. 8.*—21st N.I. Lieut. C. Farmer to be adj., v. Gray prom.

1st-Lieuts. of Engineers appointed to do duty. W. E. Baker, C. S. Guthrie, and H. Fraser, with sappers and miners at Allyghur.

Cornets of Cavalry appointed to do duty. W. B. Moxley, with 1st L.C., Cawnpore; W. V. Miford, 10th do., Meerut.

Ensigns of Infantry appointed to do duty. W. C. P. Collinson, with 24th N.I., Cawnpore; W. F. Wapington, 49th do., Mynpoorie; J. H. Ferris, 7th do., Berhampore; W. T. Pocklington, 24th do., Cawnpore; W. H. Ross, 51st do., Cawnpore; D. Hadden, 48th do., Dinapore; J. Clarke and F. Ramsford, 57th do., Pateahghur, Oude; W. W. Davidson, 50th do., Allahabad; R. M.

Gurnell, 7th do., Berhampore; H. Carter, 50th do., Allahabad; A. M. Wylie, 51st do., Cawnpore.

Veterinary Surgeons appointed to do duty. J. Ford with 1st L.C., Muttra; J. Harris, 3d do., Kaitah; J. Purves, 4th do., Nusseerabad; F. Rogers, 7th do., Kurnaul.

Sept. 10.—Lieut. Col. Com. R. H. Cunliffe (new prom.) posted to 4th N.I.

Maj. Gen. G. Prole removed from 4th to 46th N.I.

*Removals and Postings of Lieut. Cols.* J. H. Littler (new prom.) to 14th N.I.; W. R. Gilbert, from 14th to 49th do.; H. F. Denty (new prom.) to 6th do.; W. Vincent (new prom.) to 25th do.; G. P. Baker, from 25th do. to 2d Europ. regt.; W. L. Watson, from 2d Europ. regt. to 43d N.I.; J. Garner, from 43d to 29th N.I.

Sept. 12.—Ens. J. D. Kennedy directed to do duty with 43d N.I., at Benares.

Ens. E. Garrett to act as interp. and qu. mast. to 1st extra regt. (now 6th N.I.) during absence of Lieut. R. Garrett; dated 26th Aug.

Sept. 13.—Lieut. F. Knyvett to act as interp. and qu. mast. to 64th N.I., during absence of Lieut. Candy; dated 2d Sept.

Assist. Surg. A. K. Lindsey appointed to 2d Nusseeree bat.

Assist. Surg. H. H. Spry app. to do duty with 32d N.I.

*Fort William, Oct. 3.*—Lieut. Col. Com. C. Brown, regt. of artil., to be a brigadier, for special purpose of making an annual inspection of the several brigades and detached troops of horse artillery.

Oct. 7.—Cadet C. F. Trower admitted to infantry, and prom. to ensign.

Oct. 11.—Infantry. Lieut. Col. Wm. Brookes to be lieut. col. com., v. Weguelin, dec., with rank from 2d Aug. 1828, v. Lieut. Col. Com. S. Nation, dec.—Maj. J. A. Hodgson to be lieut. col., from 2d Aug. 1828, v. Brookes prom.

61st N.I. Capt. G. P. Wymer to be major, Lieut. Wm. Forbes to be capt. of a comp., and Ens. G. Ramsay to be lieut., from 2d Aug. 1828, in suc. to Hodgson prom.

N.B. By death of Lieut. Col. Com. T. M. Weguelin, Lieut. Cols. Com. Wm. Innes and G. R. Penny become entitled to benefits of Off-Reckoning Fund.

*Head-Quarters, Sept. 16.*—Veterinary Surg. W. Barrett removed from 6th to 3d L.C., and Veterinary Surg. J. Harris from 3d to 6th do.

Ens. H. Russell removed from 42d regt., and app. to do duty with 20th N.I., at Kaitah.

Ens. A. F. C. Deas removed from 46th regt., and app. to do duty with 62d N.I., at Setapore.

Sept. 18.—Lieut. W. Parker, 10th L.C., and aide-de-camp, app. to command of cavalry detachment forming Commander-in-chief's escort on his approaching tour; dated Simla, 18th Sept.

Sept. 19.—7th Bat. of Artillery. 1st-Lieut. E. H. Ludlow to be adj., v. D'Oyly, prom.

Sept. 20.—Removals of Surgeons. C. Renny from 47th to 59th N.I.; J. McDowell from 59th to 2d N.I.; G. O. Jacob, from 2d to 47th N.I.

*Fort William, Oct. 11.*—20th N.I. Ens. Chas. Hutton to be lieut., from 3d Oct. 1828, v. Ximenes, transf. to pension estab.

Assist. Surg. Wm. Warlow app. to medical duties of civil station of Fettehpoor, v. Laughton transf. to Beerbhoom.

Cadets of Infantry. C. Davidson, F. R. Davidson, J. Phillott, J. Shaw, G. Cruickshank, W. Tollensche, and H. Kewney, admitted on establishment, and prom. to ensigns.

Oct. 15.—Capt. J. P. Hickman, 69th N.I., transferred, at his own request, to invalid estab.

Oct. 17.—Cavalry. Maj. H. T. Roberts to be lieut. col., from 2d Oct. 1828, v. Arnold dec.

Infantry. Maj. T. H. Paul to be lieut. col., from 21st Sept. 1828, v. Weston dec.

9th L.C. Capt. R. H. Sneyd to be major, Lieut. Edw. Malone to be capt. of a troop, and Cornet John

Hamilton to be Lieut., from 2d Oct. 1828, in suc. to Roberts prom.

20th N.I. Capt. T. F. Hutchinson to be major, and Lieut. H. Fendall to be capt. of a comp., from 21st Sept. 1828, in suc. to Paul, prom.—Ens. J. C. Scott to be Lieut. v. Fendall prom., with rank from 3d Oct. 1828, v. Ximenes transf. to pension estab.

69th N.I. Lieut. W. Brown to be capt. of a comp., and Ens. Edw. Garrett to be Lieut., from 15th Oct. 1828, in suc. to Hickman transf. to invalid estab.

Assist. Surg. Wm. Duff to be surg., from 2d Oct. 1828, v. Luxmoor dec.

Capt. C. R. W. Lane, 2d N.I., to officiate as assistant to agent for timber at Nauthpore, during absence of Lieut. Knyvett.

Cadets of Infantry J. MacDonald, J. Sandeman, C. S. Bremner, J. E. Mee, and A. A. Sturt, admitted on establishment, and prom. to ensigns.

Mr. J. B. Dickson admitted on estab. as an assist. surgeon.

*Head-Quarters, Sept. 24.*—Surg. W. Findon directed to join and do duty with 17th N.I.—Surg. J. A. D. Watson directed to join and do duty with 35th N.I.—Assist. Surg. A. K. Lindesay directed to join 68th N.I. at Agra, and proceed with it to Almorah.—Surg. T. M. Munro appointed to 58th N.I., at Almorah.—Assist. Surg. H. Taylor appointed to 64th N.I.—Assist. Surg. J. Magrath posted to 60th N.I.—Assist. Surg. C. M. Macleod directed to join and do duty with 53d N.I.

*Removals of Lieut. Cols.* W. H. Wood, from 68th to 47th N.I.; W. Swinton, from 47th to 68th do.; E. F. Waters, from 59th to 60th do.; T. Newton, from 60th to 59th do.; W. C. Baddeley, from 41st to 53d do.; T. Murray, from 53d to 41st do.; J. L. Gale, from 42d, and posted to 37th do.

Major C. F. Wild, 24th regt., app. to charge of 26th N.I., on departure of Lieut. Col. P. Leleuvre for presidency.—Maj. T. Worsley, 45th regt., app. to charge of 42d N.I.—Lieut. Col. S. P. Bishop directed to join and take command of 53d N.I.

Cornet J. R. Burt removed from 8th, and app. to do duty with 1st L.C. at Muttra.

Sept. 25.—Ens. J. J. Kinloch removed from 7th, and app. to do duty with 27th N.I., at Benares.

Ens. J. D. Kennedy removed from 43d, and app. to do duty with 1st N.I., at Muttra.

*Returned to duty, from Europe.*—Lieut. John Bracken, 29th N.I.—Lieut. Col. H. Thomson, 9th L.C.—Lieut. Alex. Horne, 62d N.I.—Lieut. C. H. S. Freeman, 47th N.I.—Capt. H. Delafosse, artillery.

#### HIS MAJESTY'S FORCES.

*Head-Quarters, Aug. 20, 1828.*—Lieut. S. McQueen, 44th F., and Lieut. John Macauland, 89th do., to be capt. by brevet, in E.I. only; former from 14th Aug. 1828, latter from 11th June 1827.

Deputy of Inspector of Hospitals, Dr. Strachan, removed to presidency of Madras, v. Browne, dec., and Deputy Inspector of Hospitals Mr. Robinson, app. to that of Bombay, v. Strachan removed to Madras.

Aug. 31.—Brev. Lieut. Col. M. Everard, 13th L.Inf., to be commandant of dépôt at Chinsurah, v. Brev. Lieut. Col. Kelly dec., as a temp. arrangement; dated 7th Aug. 1828.

Sept. 3.—Lieut. W. Sutherland, 13th L.Inf., to be capt. by brevet, in E.I. only, from 29th July 1828.

Sept. 8.—Assist. Surg. Ross, 16th Lancers, app. to medical charge of that corps, from date of departure for Bombay of Deputy Inspector of Hospitals Mr. Robinson.

Sept. 12.—Brev. Capt. Mansell, 14th F., permitted to serve on personal staff of Governor-general as aide-de-camp.

Sept. 22.—Assist. Surg. G. R. Dartnell, 14th F., to be surgeon of dépôt at Chinsurah

#### FURLOUGHES.

*To Europe.*—Sept. 15. Lieut. G. L. Vanzetti, 6th N.I., on private affairs.—16. Capt. Jonath.

Trelawny, 51st N.I., execut. officer 13th div. of public works, for health.—19. Lieut. W. T. Garrett, artillery, for health.—Lieut. W. C. J. Lewin, artillery, for health.—20. Lieut. G. D. Roebuck, 71st N.I., on private affairs.—Oct. 3. Capt. R. S. Phillips, 67th N.I., for health.—11. Lieut. J. W. H. Jamieson, 52d N.I., for health.—Surg. Jas. Grierson, gen. surg. of Fort William, on private affairs.—Assist. Surg. K. MacQueen, on private affairs.

*To Sea.*—Sept. 10. Lieut. J. T. Lane, regt. of artill., for three months, for health.

*To Cape of Good Hope.*—Sept. 30. Lieut. A. Knyvett, 64th N.I., for fourteen months, for health.

#### HIS MAJESTY'S FORCES.

*To Europe.*—Aug. 19. Lieut. E. Newton, 4th L.Dr., for health.—Lieut. A. L. McLeod, Royal Regt., for health.—Capt. Wm. Wilson, 45th F., for health.—27. Lieut. Donmorthorne, 44th Foot, for health.—Assist. Surg. Strath, 89th Foot, for health.—Assist. Surg. Brydson, 54th Foot, for health.—Lieut. Langworth, 45th Foot, on private affairs.—Sept. 8. Lieut. Eaton, 13th L.Dr., on private affairs.—12. Lieut. Weston, 4th L.Dr., for health.—22. Capt. Lane, 1st or Royal regt., for health.—Lieut. McCleverty, 48th Foot, for health.—Capt. Mentzath, 16th Lancers, on private affairs.

*To Ceylon.*—Aug. 31. Ens. Wilmot, Royal regt., for three months, for health.

#### LAW.

SUPREME COURT, October 24.

*The Advocate-General v. Young and others.*—In this case (which was the prosecution under the stamp regulation) Mr. Minchin prayed that judgment should be entered up with costs. He had waited, he said, till the last day of term, in order that the other side for the prosecution might have time to make any motion they thought proper, if they did not feel satisfied with the verdict of the special jury by which the case was decided. He contended that the 53d of the King, under which the Advocate-general of the Company filed the informations, did not exempt the Company from costs when they failed in the prosecutions. It was, he said, unlike informations in the Court of Exchequer filed by the King's Attorney-general, for the present was for the recovery of a penalty due to the Company and not to the Crown; it was not the Crown but the Company who prosecuted, and by the 16th section of the charter they were liable to costs, if they sue or are sued. When he endeavoured to postpone the trial of this case, he distinctly stated that if he (the Advocate-general) claimed to prosecute as the Attorney-general in England, he could not recover costs, for there, in its dignity, the Crown would receive no costs, and by its prerogative it would give none. The court on that occasion were of opinion that the cases were dissimilar, and refused the motion. "On the expression of your lordship's opinion, as then given," said Mr. Minchin, "I make my present application."

*Chief Justice.*—I do not remember the order you speak of.

*Mr. Minchin.*—I call on the officer to produce it.

*Chief*

*Chief Justice.*—You cannot do so now; you should have applied at his office.

*Mr. Minchin.*—I feel confident your lordship will not be unusually particular, because the Company are concerned in this case on the one side, as the prosecutors, and private individuals on the other. I have seen in many instances the officers of the court produce the orders required, when the counsel have asked for them, and Mr. Smoult can have no difficulty in finding them in the present. If then the law is as was laid down by the court in that order, the question will depend entirely on the discretion of the court; and if there ever was a case in which your lordship could exercise a discretionary power and give costs, it is in the present, for here two informations were filed for similar offences where one would have been sufficient; the counts could have been so drawn up as to cover both; my clients were of course put to double expense, your lordships put to double trouble, and the time of the court unnecessarily occupied. I, therefore, think this a case of much hardship and of great oppression.

The *Chief Justice* said, that he thought the order alluded to would not make any difference, if it was so made; but he was of opinion that the costs must have been given on account of unnecessary delay or some such reason. If the order was made it was irregular, and the court would give leave to move to have so much of it set aside, and the costs refunded if paid. His lordship added: "the 53d of the King states, that such proceedings in an information filed by the Advocate-general shall be had and taken, as may lawfully be taken in England, so far as the circumstances of the case and the practice of this court will admit. I would ask, could costs be given in an information filed by the Attorney-general in England on behalf of the Crown?"

*Sir F. Franks* concurred.

*Sir Edward Ryan* said, he thought, as this was the first time the question had been brought forward, it ought to be discussed, although he did not think the charter gave this court any power, in cases of information, to give costs. The legal advisers of the Company would, he had no doubt, be glad that this rule should be absolute, for if they have to pay the defendants' costs in the present instance, they would be entitled to receive them whenever they succeeded hereafter.

The officer of the court here produced the order which Mr. Minchin had mentioned, and the *Chief Justice*, on reading it, said to Mr. Minchin, "I have now seen the order, and I think you may frame your present motion in the alternative, either that judgment may be entered up for defendants with costs, or that so much of this order which gave costs to the Ad-

vocate-general may be set aside, and the costs, if paid under it, refunded."

Order *Nisi* granted.

## MISCELLANEOUS.

### THE LATE BISHOP.

*Ecclesiastical Department, 17th October 1828.*—With deep sorrow the Governor-general in Council announces to the public that he has received official information of the decease of the Right Rev. the Lord Bishop of Calcutta.

His Lordship was seized with severe illness in the month of July last, while in progress on a visitation to the western provinces, and a voyage to sea, which had been prescribed as affording the only chance of recovery, proved inadequate to stay the violence of the disease. It proved fatal on the 22d August, on board the Hon. Company's ship *Marquis of Huntly*.

His Lordship's exercise of the important functions of his exalted ministry in this country was comparatively short, but the claims he had established to the regard and esteem of the members of this society, and of the community of the settlement, will make his loss a source of sincere regret.

Within the short space of little more than five years, the British community in India have thrice had to bewail the loss of the chief minister of their religion in the country, and the name of Bishop James will be associated in their recollection with those of his predecessors, not more by the similarity of his fate, than by his amiable disposition and exalted virtues.

As a mark of respect to the high station of the deceased, and of mournful regret for the loss sustained by this community, the Governor-general in Council is pleased to direct, that the flag of Fort William shall be hoisted half-mast high at sunrise to-morrow morning, and shall continue to be so displayed during the day, and that forty-three minute-guns, corresponding with the age of the deceased, shall be fired from the ramparts in the afternoon.

By order of the Right Hon. the Governor-general in Council,

H. T. PRINSEP, Sec. to Gov.

The career of his Lordship has indeed been brief; and, removed by Providence to a better world before he had well entered on the discharge of his sacred and important duties in India, Bishop James has left us little record of him since he arrived among us, except the high esteem in which his character was held by all who knew him, and the manifestations he gave of a zeal and judgment in the faithful discharge of his episcopal functions, from which the happiest results to the church in India were fondly anticipated, had it but pleased heaven to spare his life. Before  
3 P he



he assumed the episcopal duties in this country, Dr. James had distinguished himself at home as a traveller and a scholar, and his name will find a place in the literature of his country. By the few to whom his short residence at Calcutta, and the brief interval of health which he enjoyed during this period, had afforded an opportunity of becoming acquainted with them, his memory is endeared by many recollections of the piety and excellence of his character, the soundness of his judgment, and the extent and variety of his general information.

The remains of the Bishop were consigned to the deep: his widow returns, it is said, to England, on board the H.C.'s ship *Berwickshire*.—*Oriental Observer*.

The short time which the late Lord Bishop filled his high office, has afforded the community of India little opportunity of an acquaintance with his previous history, which, we have no doubt, will be most acceptable to our readers. His Lordship was educated at the Charter-House, and succeeded to a studentship at Christ Church, Oxford; and when called to the important situation of Bishop of Calcutta, was Vicar of Flitton, in Bedfordshire. He was in his 44th year, and arrived in Calcutta on the 15th of January last, where he remained until the 23d of June, and then proceeded on a visitation to the upper provinces of Bengal. On his arrival at Boglipoore, he was so seriously indisposed as to render his instant return to Calcutta absolutely necessary; and his medical advisers considering his voyage to sea the only chance for his recovery, his Lordship embarked immediately on the *Marquis Huntly* for this island, and died at sea on the 22d ultimo. He was the author of several works, "Travels in Russia, &c." "The Semi-Sceptic," &c. &c. His Lordship has left a widow and three children to lament his irreparable loss.—*Penang Reg.*, Sept. 10.

In consequence of the death of Bishop James, the Archdeacon of Calcutta had been directed to exercise the episcopal jurisdiction and functions appertaining to the see.

#### THE GOVERNOR-GENERAL.

We regret to state, that on Tuesday evening an accident occurred to the Right Hon. the Governor-general, whilst riding out in the Barrackpore park. His Lordship's horse, frightened, it is supposed, by the noise of a carriage, reared up violently; and from the suddenness of the shock his Lordship lost his seat, and fell upon the ground, the horse falling at the same time, but, fortunately, clear of his rider. The European gardener passing at the moment in a buggy, his Lordship was immediately taken to the Barrackpore

house. No pain was experienced at the time, and his Lordship walked up the stairs to his own room, unassisted; but on the following morning a little stiffness in the loins was felt, and, in consequence, leeches were applied. His Lordship returned to Calcutta in the *Burrampooter*, steamer, on Wednesday afternoon, Thursday being council day, and proceeded from the ghaut, in his tonjohn, to Government-house.—*India Gaz.*, Oct. 2.

The *Government Gazette* of October 9th states that his Lordship is daily getting better.

#### STEAM INLAND NAVIGATION.

Great interest seems to have been raised amongst the European residents of Calcutta respecting the experiment made by the *Hooghly*, steam-boat, which, we stated last month (p. 354), was about to proceed up the river to Allahabad, in order to ascertain the practicability of establishing a steam communication with the Upper Provinces; and which has returned to the Presidency.

She left Coolie Bazar on the 8th September, stowed with coals on deck and below, to the extent of about forty tons, at a draught of water exceeding any at which she had been previously tried under steam. On the 11th she passed Berhampore, and on the 12th entered the Great River, and anchored at sunset at about eight miles from the Sooty mouth of the Bhagiretty. Here considerable difficulty was experienced in steering the vessel, owing to the eddies and whirlpools which at this season are so frequent. The inconvenience was afterwards overcome by using a rudder, made on board after the plan of the native boats. Her first supply of coal was taken in at Rajmahal, which she reached on the 13th in the evening (having steamed from Moorshedabad in less than three days, though the current was excessively strong), leaving it again on the 14th at daylight, and arriving on the 20th at Patna, where she remained one day, and having received a fresh supply of coals, proceeded on, and arrived a little after noon of the 27th at Benares. Here it was suggested that many of the higher class of natives would be highly gratified by seeing the vessel manoeuvre, and she was accordingly steamed up to the western extreme of the city, returned again, and anchored. The tops of the houses, the minarets, the ghauts, and the whole banks of the river, were lined with natives, eagerly gazing at the novel spectacle. Many natives of distinction visited the *Hooghly*, and were highly pleased and astounded with the beauty of the machinery, of the vessel herself, and the explanations they received as to the power which enabled her, unaided by sails or oars, to make her way against wind and tide, and wrapt in wonder at the extraordinary

dinary efforts it could produce. The *Hooghly* left Benares on the 28th, and arrived at Allahabad on the 1st October, a few hours after daylight. She remained there until the 3d.

A letter from Mirzapore, dated the 29th September, gives the following account of its passing that station :—" the *Hooghly*, steam-vessel passed our station this forenoon, at ten A. M. Her rate was about six miles an hour. It was a proud sight for an Englishman to behold the stately triumph of his country's science breasting, for the first time, that noble stream which for time immemorial has only been traversed by "sooty hulks" steering "sluggish on." The natives scarcely noticed its progress. I had a powerful telescope, and my station, in a bend of the river, commanded a view of not less than nine miles; but along all the villages, which studded its banks, I did not observe half-a-dozen people turn out to view a sight which, in England for the first time would have called forth the population of half a county. About a score of Hindoos were bathing in the river under the bank where I stood; I marked them well. Scarcely even one looked at the steam-vessel, and the greater number were coolly washing their clothes, or sat and scrubbed their pagan mouths, with their faces turned the contrary way, as if it were a matter of every-day occurrence."

The 3d being fixed for her departure, several gentlemen repaired on board at daylight to witness a display of her powers. The vessel was got under weigh and steamed a couple of miles up the Jumna. On her return off the fort, where she had to wait for a pilot, a message was received from Doorjun Sal, expressing his desire to visit the vessel. Having obtained the requisite permission, he came on board accordingly, attended by a guard, and accompanied by his son, a smart intelligent lad. They examined the vessel very minutely, asking a great many questions, and appearing very much delighted with what they saw and heard.

On the 3d at noon, the *Hooghly* left Allahabad, under moderate power, on her return; but, within sight of the fort, unfortunately, took the spit of a sand, where she remained, notwithstanding every effort which the skill and energy of the gentlemen in charge of her could devise and execute, until the next morning at two o'clock, when, by the gradually washing away of the sand from under her (the stream running about eight knots), she swung to her anchor in deep water, and at two in the afternoon was got under weigh, and proceeded down; on the 5th she anchored at Chunar, having on this day lighted the fires of one boiler only, a plan which was continued until the vessel again entered the Bhagiretty. On the 6th at ten A. M.,

she anchored at Benares, where she again became the object of universal curiosity and admiration. She remained here until the 8th, repairing temporary rudders and procuring stores and fuel. At daylight (the 8th) a party of ladies and gentlemen of the station visited the vessel, when she again exhibited to the wondering eyes of the assembled multitude another specimen of her powers in stemming the rapid current of the Ganges, in a trip to the western extremity of the town. At eight o'clock she proceeded on her return, and arrived the same evening at Gazeepore, leaving that place at daylight of the following morning, and arrived off Dinapore at an early hour of the afternoon of the 10th. Here a small supply of coals was taken in, with which she reached Rajmahal on the 14th, having lost several hours in consequence of heavy rain and thick weather obscuring the land. On the 13th the vessel left Rajmahal, and in the evening of that day was at Moorshedabad. On the 16th she anchored near Culna, and arrived on the 17th at two P. M. off Chandpaul Ghaut.

The account from which the above is partly taken, adds as follows :—

We are happy to hear that the gentlemen entrusted with the management of this experiment are most decidedly of opinion, that it has demonstrated the perfect practicability of establishing a communication by steam-vessels with the Upper Provinces. The so much dreaded passes of Colgong Bar and Monghyr, presented, they conceive, no insuperable difficulties. The velocity of the current, indeed, was sometimes as great as eight knots per hour: the average may be estimated at about five.

Allahabad is, we believe, 854 miles by water from the presidency. The *Hooghly* was twenty days (of eleven hours each), exclusive of delays, in reaching that place, and twelve days coming back.

#### CIVIL SERVICE ANNUITY FUND.

At a special general meeting of the subscribers to the Civil Service Annuity Fund, holden pursuant to advertisement at the Town-hall, on Monday, the 22d September 1828, it was resolved unanimously, that the following rule, as proposed by the Honourable Court of Directors, be substituted for clause 26 of the regulation, and that the latter be accordingly cancelled; *viz.* (Rule to be substituted for clause 26) "All questions proposed at a general meeting, whether annual or special, shall be determined by a majority of three-fourths of the members, who may either be present at such general meeting, or vote thereat by proxy; but the concurrent voices of nine members, at least, actually present, shall be requisite to determine upon any question whatever; and upon all general questions involving

involving any increase or diminution of the rate of contribution now fixed, or any essential addition to, or alteration in, the original rules and principles of the institution, which are now established, all subscribers in India, who may not be able to attend the meeting in person, shall be allowed to deliver their sentiments and votes by a written communication, to be signed by them, and addressed to the chairman of the meeting; provided always, that no decision upon such question shall be valid, or have any effect, until sanctioned and approved by the Court of Directors of the East-India Company, to whom all parties, considering themselves aggrieved by such decision, shall have a right of appeal, and the decision of the Court of Directors shall, in all cases, be final."

#### PROPOSED FISHERY AT CALCUTTA.

A proposal for the establishment of a fishery at the mouth of the Hooghley, on an extensive scale, has been put forth at Calcutta, and seems to meet with universal concurrence. An abstract of a pamphlet on the subject appears in the *Gov. Gazette* of the 22d September, containing the results obtained by a committee formerly appointed by government, to investigate into the state of the Calcutta fish market, the report of which committee is considered conclusive as to the following points:—

1st. That the supply of good and wholesome fish is less than the demand.

2dly. That the poor classes purchase bad fish at a price which ought to insure a supply of the best.

3dly. That a great portion of the fish which supplies the Calcutta market is spoiled in the conveyance from distance.

4thly. That the fisherman's condition is wretched; that he derives no advantage from the increased profits on the sale of fish, and cannot therefore be expected to exert himself to supply the market with fish of superior qualities.

5thly. That the average daily price of fish sold in Calcutta is Sa. Rs. 1,780. 3.

6thly. That the profits on the sale of fish is six annas in the rupee.

7thly. That no combination for the purpose of keeping up the price of fish seems to exist among the holders.

The pamphlet contains the following calculations:—

"Taking the average of the year, we may calculate on a daily sale of 500 rupees' worth of fresh and salt fish. This cannot be considered an extravagant average, when we know that the average daily sale of fresh fish alone in Calcutta is 1,780 rupees' worth, and that in addition the sale of imported salt fish is very great. The average of 500 rupees per diem gives an annual sale of 1,82,500 rupees' worth. The

sum required to establish the fishery may be estimated at two lacs of rupees, and the monthly expenses cannot exceed 10,000 rupees, or 1,20,000 per annum. This sum deducted from the receipts gives a profit of 62,500, or thirty-one per cent. on the money invested in this speculation."

#### COL. NATION.

Died, at Cawnpore, on the 20th Aug., Lieut. Col. Commandant S. Nation, C.B., of the Bengal N.I. This lamented and distinguished officer was in progress to assume command of the brigade of troops at Delhi, when he fell a martyr to cholera, which laid his gallant spirit low after a short and painful attack of a few hours only. It may with great truth and justice be recorded, that in Col. Nation the Bengal army has to deplore the loss of one of its brightest ornaments; nor will the sentiment be confined to the breasts of his own immediate service only; the premature death of so excellent and gallant a soldier must be mourned and "sorrowed for" by every admirer of heroism and the other shining virtues and qualities which adorn the man, the officer, and the soldier.

Col. N. commenced his military career in 1797, serving the greater portion of the Mahratta war, under the late Lord Lake, and the second Nipal campaign under the late Major-General Sir D. Ochterlony. During the latter, when Brevet Major Nation, his charge at the head of the 1st bat. 8th N.I., decided the day on the heights of Muckwanpore.

His last and glorious scene of active operations was at the siege and storm of Bhurtpore in 1825-6, when he commanded the 23d regt., in which corps his memory will long be cherished and respected both by officers and men.

At the assault on the 18th January, the two senior officers having fallen disabled at the foot of the breach, the command of the right column devolved on Col. N., when in leading it along the ramparts he received a severe wound in the head. Col. N. was present at two of the many gallant but unsuccessful attempts to carry Bhurtpore by storm in 1805. Frequently has he observed to the writer of this hasty sketch, that the presentiment was ever fresh and foremost in his mind, that he should live to witness and to assist at the humbling of this proud fortress; the realization of which, one and twenty years subsequently, doubtless, proved a source of honourable pride and gratification. Col. N. had been rewarded by his sovereign with the Companionship of the Bath.

He has left a widow and nine children to lament their heavy loss; and, in conclusion, it may be remarked, and will be assented to by all who knew this amiable man, that in private life and in his domestic

tic circle he was equally esteemed and beloved.—*India Gaz.*

#### NEW RIVER BOAT.

We understand that a model of a boat for river navigation is now being built, and in considerable forwardness, with machinery on an entire new principle of propelling powers, which, if it succeeds, will prove of incalculable public benefit. It is said to combine superior safety and accommodation over any boat on the river; it must, therefore, be an object deserving the notice of government for the transportation of troops, military stores, &c. &c. Several gentlemen of science and of mechanical experience, who have seen the plans, speak highly of the contrivance, and give the projector every encouragement to hope the most brilliant results.—*Beng. Chron.* Oct. 9.

#### SUTTEE.

The following particulars of a suttee near Chitpore are stated in a letter in the *Bengal Chronicle*, Oct. 4:—

On our arrival we found the devotee and the object of her devotion in a hut; the one patiently, and the other unconsciously, awaiting the preparations which were going forward to the completion of the ceremony. My friend (who is well acquainted with the Bengally language) asked the suttee if what she was about to do was to be done of her own free will, and other questions of a similar tendency; to all of which she gave no further satisfactory answer than that she was determined to die, and that nothing on earth had now any attraction but her husband (touching his foot at the time), with whom, she added, she desired speedily to be burned. She was further asked, whether she had informed the deceased of her intention before his death, or whether the deceased had spoken to her of this ceremony on his death-bed—to which she answered “yes,” that he had asked her if she would go along with him, and she said she would.

The under-darogah having arrived and taken her depositions, with those of her nearest relatives and neighbours, the brahmins brought forward the articles which she was to bless and offer to the gods, and after having done this the body was carried and she led to the river to be bathed, attended by her daughter and son, with several other natives; she was conducted into the water, when, having performed her ablutions she was brought back and robed in a scarlet cloth prepared for the occasion. She was then provided with parched rice and cowries to distribute to the by-standers, while walking round the funeral pile, upon which, after going round it the customary number of times, she was lifted up, and muttering some-

thing toward the heavens and waving a bunch of flowers in her hands, with a circular motion of the head, she lay down by the dead body, when the signal for setting fire was given, and in instant the pile was enveloped in flame. I was very near the woman, and, although I paid the utmost attention, I could not discern her shrink in the smallest degree when the flames reached her, and there seems to be no reason for doubting that, in this instance, it was a voluntary sacrifice. There was no wood allowed to be put upon either the woman or the dead body, nor did she, as I have already said, betray any symptom of shrinking from her resolution. She died, I believe, according to her own free will and pleasure, and to the fiend-like joy of her own offspring, expressed by the most frantic gestures, which made me think of them more as demons than as men.

#### ALLEGED FRAUDS IN THE REVENUE.

Rumours have been for some time in circulation of extensive frauds having been committed in the Salt and Opium office. The amount has been variously stated; but, at its minimum, may be considered a heavy public loss. It does not appear that the European or Anglo-Indian functionaries have benefited by the roguery in any way; but *prima facie* there would seem a want of vigilance in some quarter.—*Beng. Chron.* Sept. 20.

#### NEW FIELD SPORT.

A letter just received from a sportsman at Neemutch contains the following sporting anecdote, said to be well known in that part of the country:—

“A friend of mine during the last hot season made a practice of sitting up alone at nights, near pieces of water in the midst of the jungles, with only a double-barrelled Manton, in quest of tigers and other wild beasts. A small embankment of loose earth, raised about a foot and a half, was the only cover he had, and this was of course more to keep him out of sight than to afford protection. In this manner he has killed tigers, leopards, elks, hyenas, and hogs, without having occasion to deliver a second shot, allowing them to approach within ten or twelve yards of him, which was easily effected in the obscurity of the night. On a few occasions my friend was in great danger; one night particularly, when the animal he fired at sprang into the middle of the nullah near to which he was sitting.” This surely is a more “dreadful trade,” than that pursued by him who “gathers samphire.”—*Cal. Gov. Gaz.*, Oct. 20.

#### ALLEGED DISCONTENT AT CAWNPORE.

In the *Chronicle* of the 14th ult. (see p. 358) we alluded to the rumour current of a spirit

a spirit of discontent having manifested itself among the European troops at Cawnpore, which had proceeded so far that the men had burnt down the barracks. We also adverted to the report of a similar spirit having been displayed by some of the troops at Ghazee-pore. We have since learned from the very best authority, that these rumours were founded in error. The barracks at Cawnpore were indeed burnt down, but it has been established to the satisfaction of a court of inquiry that the fire was entirely accidental. We spoke of both affairs as mere rumours, expressing our conviction that if they were well-founded the most prompt, wise, and energetic measures would be adopted to bring the mistaken soldiers to a sense of their duty. We are most happy to learn, however, that that subordination and discipline, which are no less than their invincible courage the characteristics of British soldiers, have not experienced any interruption whatever; but that the conduct of the men at the stations named has been and is such as to reflect credit on themselves and give satisfaction to their officers.

—*Beng. Chron.*, Sept. 25.

\*.\* This is another instance of the many mischievous mis-statements which appear in the *Bengal Hurkaru* and *Chronicle*.

#### THE "PRINCESS CHARLOTTE."

The free-trader *Princess Charlotte*, Capt. Stephenson, which sailed from Saugor on the 21st September, then in a leaky state, struck on the eastern side of the Mizcu Sand on the 23d, and was entirely lost. The cargo was taking out by the last accounts. The *Bengal Chronicle* of Sept. 30 says:—

"We have been informed that the leak of the ship *Princess Charlotte* was merely such as is liable to occur to all ships on their first going out, after their bends and sides have been long exposed to the sun here, and which would probably have taken up immediately; the crew, however, did not wish to go to sea, and compelled the pilot to come back. If this be so, we should hope that such an act of mutiny will not escape punishment, for if it should, there will be no safety on board ships navigated by European seamen. Every day we hear of some occurrence which demonstrates the necessity for some code of naval law which shall enable the commanders of merchant vessels to preserve that subordination which is essential to the safety of the property and lives under their charge."

#### COLONEL KREFTING.

*Official.*—*Foreign Department, Fort William*, Oct. 11, 1828.—The Right Hon. the Governor General in Council has re-

ceived with the deepest regret official information of the decease of the Honourable Colonel J. Krefting, chief of his Danish Majesty's settlement, at Serampore, which melancholy event took place at that settlement on the evening of the 7th instant.

As a tribute of public respect to the high situation so long filled by the late Colonel Krefting, and as a mark of esteem for his personal character, the Governor General in Council is pleased to direct that seventy-one minute guns, corresponding with the age of the deceased, shall be fired from the ramparts of Fort William this afternoon, the flag being at the same time hoisted half-mast high.

#### FATAL ACCIDENT ON THE RIVER.

Letters were received in town yesterday from Berhampore, which mention the occurrence of a melancholy catastrophe a little above Moorshedabad. On the 22d instant Capt. Ralph Forster started from Berhampore for the Upper Provinces, and whilst sailing along in the middle of the river a sudden squall came on and entirely capsized the budgerow. Capt. Forster was sitting reading within the cabin at the time with all the venetians shut, excepting one to leeward, when it went over, and so instantaneous was the accident that he had not time to reach the door, but by a happy chance succeeded in scrambling out of the window, and on recovering from his consternation he found himself in the water swimming. The poor servants, however, were not so fortunate: four of them were drowned inside of the budgerow, not being able to get out, although the vessel did not immediately fill, but drifting so fast down with the current and gradually settling in the water, unhappily not the least assistance could be given to them. Two of the dandies were also drowned. Captain Forster with great efforts succeeded in getting upon the bottom of the overturned boat, from whence he was picked up by Lieutenant Archbold, who was luckily passing at the moment. Captain Forster was very severely bruised, and has lost property to a considerable amount. We understand this is the second time that he has providentially and wonderfully escaped from a watery grave. In coming out to India he was wrecked in the *Lady Burgess*, and saved in a most surprising manner.—*Cal. Gov. Gaz.*, Sept. 29.

#### REPORTED COMMOTION IN HYDERABAD.

*Secunderabad*, Sept. 13, 1828.—A few days ago it was reported that there was likely to be some fighting in the city (Hydrabad). The second son of the Nizam, a passionate man and a tyrant, who a few years ago was confined in the hill-fort of Golconda for a short time, finding that

that his father is not likely to survive his present illness, has formed the project of making himself master of the sovereignty. To effect his purpose he sent off a trusty servant and respectable man to the Nuwab of Kurnaul, a place where there are a great number of the Putthan tribe, who were expelled from this a few years ago, offering to enlist them in his service; as his object was, on the death of his father, to assassinate the two ministers and assume the sovereignty himself, instead of his elder brother, who is the lawful heir to it. The Nuwab, after despatching the messenger with some sort of a reply, transmitted the original letter to the prime minister, who instantly had the messenger of the said letter confined with fetters in prison, and refused on the demand of his master to liberate him. The consequence is the latter is going to use force to set him free, and is enlisting (report says has already entertained some thousands of the real fighting caste, Caffres, Shaiks from Sindh, Arabs, and Puthans) thousands daily. His adversary is doing the same. Such is the report. We here received orders a couple of days ago to be on the alert, or be prepared to parade at a moment's notice. What the issue will be no one knows; every thing is in suspense.—*Beng. Chron., Oct. 9.*

#### SUTTEE PREVENTED.

Extract of a letter, dated Jaunpore, 4th September:—

"Soon after information being received of the intended suttee, the magistrate accompanied by several officers and gentlemen repaired to this scene of self-murder. On their arrival they found a young woman perfectly prepared to launch into eternity; but, thanks to Providence, it was otherwise. After much endeavour to dissuade her from so horrible an act without effect, one of the party proposed to bring her children to her, and try if the feelings of a mother could not soften her determination; it luckily proved so; one child was put to her breast (it was about ten months old), and another, a fine boy about five years old, laid hold of her arm and requested her to desist, saying who would feed them when she was gone? A large sum (200 rupees) was offered her to abandon her design, when she at last acquiesced. The following day I learnt she had three brothers, the two elder of whom had persuaded her to become a suttee, in order to lay hold of about 3,500 rupees. The younger of the three told his master, a gentleman of my acquaintance, the above fact, and said her money was the only wish or object they could have in view, as many others in the family never wished to become suttees, and one of her own caste assisted in dissuading her from mounting the pile."

#### STEAM NAVIGATION TO INDIA.

To the Subscribers to the Steam Navigation Fund and the Public in general.

I feel it a duty to express my thanks for the degree of interest that you have already conferred, by assisting my plan of steam communication between England and India.

The resolution passed at the Town-hall, on the 30th July last, and the under-mentioned rates of postage sanctioned by the Governor General in Council, in a letter to me, dated 7th August 1828, are sufficient to point out the degree of encouragement I have received in Calcutta, and I feel sanguine of success. On my arrival in England I shall proceed to build and fit a vessel for this important undertaking. I, therefore, still solicit, that as I am labouring to perform a public benefit, I may not be forgotten; and I can only say, that to be the first individual that shall make a voyage to India and back to England by steam in six months, will to me be a sufficient reward, and I will devote my utmost endeavours to effect it. Wishing the Steam Committee and subscribers, who have given their aid to my views, every happiness and my humble thanks, I hope yet to requite the obligation I lay under to them, by opening a communication with their relatives in a third less time and thereby save them many painful hours of anxiety.

For each single letter not exceeding one sicca weight, if exceeding one sicca weight double, if exceeding two sicca weight treble, and so on..... Rs.  
Newspapers each..... Rs.  
Accounts, law papers, &c. &c., certified as such outside, and not containing letters, per oz..... Rs.  
And if more than 100 days, the common ship postage.

If in less than		
72 Days.	88 Days.	100 Days.
3	2	1
3	2	1
3	2	1

THOMAS WAGHORN.

#### ATTEMPT AT ASSASSINATION.

An extraordinary attempt at assassination was made at Mundlaiser, on the morning of the 25th of August. Adjutant A. Lermitt, of the Local Corps, had just returned from mounting guard, and had reached his house, when a sepoy of the corps rushed into the compound, nearly naked, and armed with a long sword. In a moment he aimed a violent stroke at the adjutant, but fortunately, by some strange chance, the weapon turned in his hand, otherwise the blow must have been inevitably fatal, as that officer received a very severe contusion from the back of the sword immediately over the jugular vein. The sepoy then inflicted a deep wound across the right shoulder and arm, laying the

the bone bare, which drove him to the ground, and before he could attempt to rise, the villain stabbed him twice in the back. In another instant he would have been despatched had it not been for the grenadier soobadar, who, at great personal risk, threw himself into the wretch's arms, and enabled Adjutant Lermitt to get out of his reach. In the struggle the soobadar's sword-belt was cut through, and he was wounded in the leg, as was also a sepoy in the hand, before the atrocious offender could be secured.

It is to be remarked, that the perpetrator of this dreadful outrage had never, since the time he was enlisted, been either punished or reprimanded. He had the same morning carried off a sword from one of his comrades, concealing it under a blanket which he wore, and calling out to the natives that he would not hurt them, but that he would cut down a European.

After he was secured, he declared that he came with an intention to commit suicide, but could not why tell he wished to murder the adjutant, to whom he was known only by sight. There are no grounds whatever, it appears, to suppose the man insane, as his conduct, up to the time of the act in question, was that of a person fully possessed of his senses. The only cause conjectured is that a quarrel which he had had with his wife might have driven him to a deed of desperation. We are happy to add, that on the 30th of August Mr. Lermitt was doing well, the facts above stated being communicated to us by himself.—*Cal. Gov. Gaz.*, Sept. 22.

#### CONTEMPLATED TOUR OF THE GOVERNOR GENERAL.

It is reported that Lord Wm. Bentinck intends shortly to set out on a tour to the Upper Provinces, and afterwards to proceed on a visit of inspection to the settlements to the eastward.

#### THUNDER STORM.

On Saturday, at about five P.M., during a heavy shower of rain, the lightning was more vivid, and the thunder more loud, than we almost ever experienced. The explosion seemed to be just over head, and we saw the lightning stream down perpendicularly from the sky, about twelve yards from the room in which we were sitting. It struck the trunk of a tree in the garden, two feet above the ground, tore off the bark and part of the wood in two places, to the extent of ten or twelve inches, and glancing off, went into the earth at the distance of a foot from the tree. On examining the spot there was a distinct hole, through which the electric matter had passed, but on digging up the ground nothing was to be found. Three crows, which were sheltering themselves

from the rain on the tree at the time, were struck dead by the lightning. The breast of one of them was entirely stripped bare, but there was no appearance of the usual consequences of fire.—*Cal. Gov. Gaz.*, Sept. 29.

#### NATIVE PAPERS.

*Runjeet Singh.*—The Maharajah was at Amritsir up to the 29th of August. His highness had it in contemplation to visit Mooltan as soon as the rains are over, and he had also expressed his intention of sending his French officers to take possession of the country of Sind. Accounts from Peshawer mention that the governor of Killa Choupance had exacted 5,000 rupees from the ryots and divided the money among his troops. The son of Atta Mahomed Khan, having revolted from his father, had collected about 7 or 8,000 men, and seized and plundered several places, realizing in booty upwards of 50,000 rupees. It is supposed that he is acting in concert with the hakim of Candahar, and that he is pushing his little army in that direction. His highness, having been made acquainted with all the news, issued orders to the Kildar of Khyrabad, where Mulavee Ismael has been for some time kept in confinement, to convey that prisoner to Attock, and deliver him over to the hakim of that place.

*Nawab Azof Jah.*—His highness appears to continue in an infirm state of health, and the hakeems are always in attendance suggesting and preparing remedies. The Nawab had resumed taking exercise in the beautiful gardens belonging to Mahomed Taher Khan. Chundoo Lal solicited to know what time it would be most convenient to him to receive a despatch, which had arrived at the residency for him from the Governor General, but he replied that he was in too much pain from indisposition to fix the day, and referred to Nawab Muncer-ool-Mulk, who appointed the following Saturday for that purpose.

#### SHIPPING.

##### Arrivals in the River.

Sept. 19. *Hooghley*, Davison, from Boston.—21. *Grace*, Allens, from Batavia and Madras.—26. *Louisa*, Arnold, from Bordeaux and Bourbon.—27. *Darius*, Hunter, from London and Ceylon.—Oct. 3. H.C.S. *Prince Regent*, Hosmer, from London and Madras; and *Clyde*, Scott, from Liverpool.—5. *Hercules*, Vaughan, from London and Madras.—6. H.C.S. *Rose*, Marquis, from London and Madras.—8. *Children*, Parry, from Liverpool, Isle of France, and Madras.—9. *Croyle*, Salls, from Lima and Batavia; and *Emerald*, Heard, from Boston.—10. *Malcolm*, Eyles, from London and Madras.—11. *Liverpool Packet*, Lord, from Boston.—13. *Roxburgh Castle*, Denney, from London, Cape, and Madras.—14. *Lonach*, Noakes, from London and Madras, and *Romilly*, Beaufort, from France and Bourbon.—15. *Cornwall*, Aldham, from London; and *Mineas*, Watson, from Greenock.—16. *John Hayes*, Worthington, from Liverpool; *Herculean*, M'Keon, from ditto; *Anthony*, Headly,

Headly, from Hamburg; *Flora*, Sheriff, from London and Penang; *John Taylor*, Atkinson, from Liverpool; *Hydery*, Eales, from Persian Gulph and Bombay; *Cuthana*, Durward, from Mauritius, and *Palamban*, Nash, from Bombay.—17. *Diamond*, Clark, from Hamburg.—18. *Atlas*, Hunt, from London and Madras; and *Irma*, Lucu, from Bordeaux.—19. *Renoux*, Baker, from London.—20. *Cornbrea Castle*, Davey, from London; *Meteor*, Watson, from Hull, Isle of France, and Madras; and *Juliana*, Tarbutt, from London and Madras.—24. *L'Actif*, Chevalaure, from Bordeaux and Madras.—26. *Lord Lyndoch*, Beadle, from London and Madras.

#### Departures from Calcutta.

Sept. 27. *Bahamian*, Pearce, for Liverpool.—28. *Angerona*, Reiknap, for Mauritius.—29. *Albion*, Mr. Leod, for Cape and London.—30. *Edward*, Aldridge, and *City of Aberdeen*, Duthie, both for Mauritius.—Oct. 1. *Prince Regent*, Richards, for Mauritius, and *Sanbury*, Manning, for Bombay.—2. *Welcome*, Paul, for Liverpool.—3. *Hobden*, Fowler, for Boston.—4. *Hutton*, Smallshaw, for Mauritius.—13. *Vesper*, Brown, for Mauritius.—16. *Euphrates*, Buckham, for London; *Rapid*, Huntly, for London; *Heroine*, Hackman, for Mauritius; and *Grace*, Allens, for Batavia.—17. *Indian*, Webster, for Mauritius.—18. *William*, Young, for London.—19. *Andes*, King, for Liverpool.

#### BIRTHS.

June 8. At Keltah, the lady of Lieut. Col. Hawtry, commanding 3d Bengal cavalry, of a son.  
July 21. At Mympoor, the lady of Wm. Monckton, Esq., civil service, of a daughter.  
At Bobcha factory, Jaunpore, Mrs. G. G. Fraser, of a son.  
28. At Midnapore, the lady of V. Shortland, Esq., 36th regt., executive officer, department of public works, &c. &c., of a daughter.  
Aug. 2. At Mundlairs, the lady of Adj. A. Lermitt, local corps, of a son.  
10. At Neemuch, the lady of Lieut. and Adj. A. Wheatley, 5th L.C., of a son and heir.  
15. At Agra, Mrs. Foy, of a son.  
26. At Calcutta, Mrs. F. D. Belleu, of a daughter.  
29. At Jessore, the lady of C. B. Francis, Esq., of a daughter.  
Sept. 2. At Cuttack, the lady of H. M. Pigou, Esq., of a daughter.  
At Calcutta, Mrs. G. H. Huttman, of a daughter.  
At Cooly Bazar, the wife of Mr. F. A. Cornabe, 1st-assistant to the harbour-master, of a son and heir.  
4. At Dinapore, the lady of Capt. Squires, H.M.'s 13th L. Inf., of a daughter.  
At Bankipore, Mrs. A. J. Boillard, of a daughter.  
6. At Seetapore, Oude, Mrs. Playfair, of a son.  
At Meerut, the lady of Colonel Baumgardt, H.M.'s 31st Foot, of a daughter.  
7. At Calcutta, Mrs. L. Cardoso, of a son.  
At Calcutta, the lady of Lieut. J. R. Talbot, interp. and qu. mast., 59th N.I., of a daughter.  
8. At Benares, the lady of Lieut. H.C. Talbot, 61st N.I., of a son.  
10. At Dinapore, the lady of Brev. Capt. Stehelin, H.M.'s 13th L. Inf., of a daughter.  
11. At Calcutta, Mrs. C. Gomes, of a son.  
In Entally, Mrs. T. E. Mullins, of a daughter.  
At Culna, the lady of Mr. James Russell, of a son.  
13. At Dacca, the lady of Lazar Seth, Esq., of a son and heir.  
At Nagapatam, the lady of J. W. Bohalt, Esq., of a daughter.  
17. At Chinsurah, Mrs. John Vogel, of a son.  
19. At Calcutta, Mrs. J. O. Jore, of a son.  
20. At Calcutta, the lady of the Rev. Wm. Greenwood, of a son.  
At Mymunshing, the lady of T. W. Burt, Esq., civil surgeon, of a daughter.  
At Calcutta, the wife of Mr. J. Vaughan, H.C.'s marine, of a daughter.  
21. At Chinsurah, the lady of F. Siewwright, Esq., H.M.'s 11th L. Drago., of a son.  
At Midnapore, the lady of Lieut. Col. H. W. Wilkinson, 22d N.I., commanding at that station, of a daughter.

22. At Garden Reach, Mrs. Bryce, of a daughter.  
23. At Saugor, Mrs. Capt. Blair, 3d local horse, of a daughter.  
At Futehghar, the lady of H. T. Owen, Esq., civil service, of a daughter.  
25. At Bandel, Mrs. R. Gordon, of a son.  
26. At Calcutta, Mrs. Samuel Smith, of a daughter.  
At Calcutta, the wife of Mr. J. Moffat, H.C.'s Mint, of a daughter.  
At Calcutta, the wife of Mr. E. Roban, territorial department, of a daughter.  
27. At Calcutta, the lady of A. G. Apar, Esq., of a son.  
At Chandernagore, Mrs. A. C. Perrier, of a daughter.  
28. At Sulkea, Mrs. A. Kirkpatrick, of a daughter.  
At Calcutta, Mrs. Wm. Fox, of a son.  
29. At Calcutta, the lady of the Rev. T. Proctor, M.A., of a son.  
At Barrackpore, the lady of W. Thomas, Esq., surgeon, of a daughter.  
At Calcutta, Mrs. C. F. Pinnett, of a daughter.  
At Mirzapore, the lady of Capt. Drummond, dep. assist. qu. mast. gen., of a son.  
At Almorah, the lady of Lieut. J. D. D. Bean, 23d N.I., of a daughter.  
30. At Calcutta, Mrs. A. L. D'Abreu, of a daughter.  
At Calcutta, the wife of Mr. T. Botelho, of a son and heir.

Oct. 3. At Sealdah, Mrs. J. W. Roberts, of a son.  
At Calcutta, Mrs. A. Kinderdine, of a son.  
4. At Calcutta, Mrs. John Bell, of a son.  
At Garden Reach, the lady of W. P. Palmer, Esq., civil service, of a daughter.  
At Calcutta, the lady of T. Mainwaring, Esq., civil service, of a son.  
At Calcutta, Mrs. M. Balthasar, of a son.  
10. At Calcutta, Mrs. J. Leitch, of a son.  
At Calcutta, Mrs. G. Cattell, of a son.  
11. At Calcutta, the lady of Lieut. Claud Douglas, second in command of Rungpore L. Inf., of a son.  
13. At Barrackpore, the lady of Major F. Walker, 65th N.I., of a daughter.  
At Calcutta, Mrs. M. De Silva, of Baker-gung, of a daughter.  
15. At Calcutta, the lady of J. H. Swinhoe, Esq., of twin daughters.  
16. At Berhampore, the lady of Capt. Holmes, 7th N.I., of a daughter.  
17. At Calcutta, the lady of Jas. Ronald, Esq., assist. surg., of a son.  
Late. At Calcutta, Mrs. G. J. Gregory, of a daughter.

#### MARRIAGES.

Aug. 30. At Calcutta, Mr. R. Martindell to Miss Anne Burns.  
Sept. 10. At Purtaubgur, Oude, Lieut. A. T. Davies to Ann, daughter of Lieut. Col. Wm. Wilson, commanding 37th N.I.  
At Calcutta, Mr. Thos. Fraser to Miss Anne Andrews.  
11. At Benares, Lieut. R. G. Roberts, Bengal artillery, to Isabella, daughter of the late Rev. G. Hoigate, rector of Heydon Bois, &c. county of Essex.  
13. At Buxar, Mr. J. Green, jun., H.C.'s stud, to Miss Eleanor Bozman.  
15. At Calcutta, Mr. P. L. Courtes to Miss Amelia Vauquelin.  
16. At Mirzapore, Donald Campbell, Esq., to Miss Mary La Roche Donnellon.  
20. At Meerut, Capt. Jas. Bedford, revenue surveyor, to Jane Helen, only daughter of the late John Troup, Esq., of Tivahli, county of Naïra.  
At Loodiana, Lieut. J. Wilcox, 4th N.I., to Clarissa Mary Grace, youngest daughter of the late V. A. Forckler, Esq., of Calcutta.  
At Mouzufferpore, Sillah Tirooh, Mr. T. M. Clark to Eliza, eldest daughter of Mr. T. Rawstorne, head assistant in the collectorship of Tirooh.  
25. At Bareilly, Lieut. Conway, 53d regt., to Louisa, youngest daughter of the late Brigadier Vanrenen.  
26. At Bareilly, J. Edwards, Esq., deputy commissary of ordnance, to Charlotte, youngest daughter



ter of the late Lieut. Col. Wm. Lally, Bengal army.

26. At Calcutta, Mr. Cha. Paschoud to Miss E. H. M. Smith.

27. At Calcutta, Mr. Jas. Parks to Miss Eliz. Pereira.

Oct. 6. At Calcutta, Mr. J. Fernandez to Miss Anna Hyppolite.

— At Calcutta, Mr. R. Blackwell to Miss A. M. Mullins.

8. At Calcutta, Mr. Edm. Wilkinson to Mrs. Eliz. Usher.

11. At Calcutta, Mr. Alex. Horsburgh, of the firm of Messrs. Montgomery and Co., to Miss M. A. Hastie, only daughter of the late Mr. W. Hastie, of the Town Hall.

15. At Calcutta, John Harvey, Esq., to Jane, daughter of John Bald, Esq., Carsebridge, Alloa, Scotland.

— At Calcutta, Mr. W. R. Russell to Charlotte Eliz., eldest daughter of the late J. H. Morrell, Esq.

17. At Serampore, John C. Marshman, Esq., to Mrs. Anderson.

— At Calcutta, Mr. G. Mackertich, an assistant in the registrar's office, Supreme Court, to Miss Ann Swaris.

18. At Calcutta, Mr. John Aubery, of Howrah, to Miss I. Baptist.

#### DEATHS.

Aug. 5. At Calpee, in Bundelcund, the lady of Capt. W. Hodgson, aged 28, and daughter of the late Colonel Melselbach.

6. On board the brig *Dolphin*, at sea, Mr. Chns. Hutchins, formerly head master of the Calcutta Grammar School.

13. At Berhampore, Clarissa, relict of the late Mr. Jas. Mollis, of Cossimbazar.

20. At Cawnpore, Lieut. Col. Com. S. Nation, C.B., of the Bengal N.I.

27. At Calcutta, Mr. W. B. Knott, aged 19.

Sept. 3. At Ramnad, of cholera, Isabella, relict of the late Mr. Henry Rice, aged 60.

6. At Bankipore, the Rev. H. Burton, of Digah, of the Baptist Missionary Society, in his 32d year.

8. At Dinapore, the lady of Major Dennie, 15th N.I.

8. At Jubbulpore, Emma, lady of Major Wm. Skene, commanding 5th extra N.I.

10. At Bankipore, Mrs. A. J. Hollar, aged 24.

11. At Calcutta, Eleanor, widow of the late Mr. S. C. Allen, deputy register of the Board of Revenue.

— At Calcutta, Capt. Geo. Cuthbertson, late commander of the country ship *Edison*, aged 35.

17. At Allypore, Elizabeth, wife of the late Mr. Deputy Commissary Joyce, aged 47.

21. At Lohoghaut, Lieut. Col. Henry Weston, 3d N.I.

22. At Berhampore, John Law, Esq., superintending surgeon, Berhampore division, in his 57th year.

24. At Cawnpore, Capt. Allan Macdonald, H.M.'s 38th regt.

— At Diamond Harbour, on board the cutter *Despatch*, Mr. A. Gilbert, late chief officer of the ship *Earl Kellie*, aged 54.

— At Ramnaghur factory, Mr. James Ross, assistant.

25. At Calcutta, Mr. Thos. Burke, assistant to Messrs. Mortimer and Co., aged 23.

26. At Calcutta, Mr. F. Castello, aged 20.

27. At Futtighur, Charles C. Blackburn, Esq.

28. At Calcutta, James S. Conyers, Esq., attorney at law, aged 27.

— At Calcutta, Maria, wife of Mr. G. Brown, of the Government Gazette press.

30. At Calcutta, Mr. P. Mackintosh, assistant to Messrs. Palmer and Co., aged 36.

30. At Chandernagore, Alexander, son of the late Mr. Alexander Falconer, of Italy, aged 22.

Oct. 1. At Calcutta, Capt. John Strang, of the country service, aged 30.

— At Calcutta, Mr. J. G. Maine, aged 28.

— At Lucknow, after a few hours illness, of cholera, Thos. Luxmoore, Esq., residency surgeon.

— At Bhaugulpore, of liver complaint, Capt. J. M. Foley.

— At Calpee, Lieut. Col. G. Arnold, commanding 2d Light Cavalry.

— At Ellichpore, Capt. R. Rideout, 10th Bengal N.I., and commanding 5th regt. of cavalry in H.H. the Nizam's regular army.

3. At Calcutta, Miss Regina Brhuder, aged 40.

4. In Fort William, of the jungle fever, Mrs. Ellary, wife of Quarter-master Ellary, H.M.'s 50th regt., aged 32.

— At Burrhoal, Mrs. Eliz. Gill, aged 80.

6. At Calcutta, Mr. S. Bissicar, engineer, aged 25.

7. At Serampore, the Hon. Col. J. Krefling, in the 71st year of his age. Col. Krefling had been forty-two years in India, twenty-eight of which period he had been the chief of the settlement of Serampore.

— At Calcutta, Mrs. S. Valentine, aged 26.

9. At Calcutta, J. J. Lindner, Esq., aged 35.

— At Calcutta, Mr. D. Garrett, late a pensioner of the Board of Revenue in the lower provinces, aged 68.

16. At Calcutta, Alexander Watson, Esq., of Commercally, indigo planter, aged 45.

17. At Calcutta, John M. Higginson, son of Mr. John Higginson, aged 13.

— At Calcutta, Samuel, son of Mr. J. Guthrie, of Sulkea, aged nine years.

18. At Calcutta, Mr. John Maslin, late an assistant to Messrs. Kyd and Co., aged 26.

Lastly. On board the ship *Cwear*, on the passage to England, John Logan, Esq., assistant surgeon Bengal establishment.

## Madras.

### GOVERNMENT GENERAL ORDERS.

#### AUTHORITY OF CIVIL MAGISTRATES TO CALL IN MILITARY AID.

Fort St. George, Sept. 16, 1828.—The following extract from the proceedings of the Right Hon. the Governor in Council in the judicial department is published in General Orders.

“Extract from the Minutes of Consultation, dated 12th Sept. 1828.

“Doubts having arisen in respect to the authority which civil magistrates and other civil officers acting in a similar capacity are entitled, under the rules laid down in the proceedings in this department dated the 25th March 1825, to exercise in cases of emergency; the Right Hon. the Governor in Council deems it necessary to declare, that whenever military aid is absolutely and immediately necessary for the maintenance or restoration of the public peace, such magistrates and other officers are at liberty to call upon any officer commanding a military force adequate to the purpose, for the necessary aid; and that it is the duty of the military officer to comply with such requisition, the responsibility of judging, with regard to the necessity for making it, resting with the civil officer. Upon such occasions, a report of the circumstances of the case, and of the measures adopted, must immediately be made by the magistrate, or other civil officer, to the Government; and the officer commanding must report his proceedings to the Commander-in-chief.

“Ordered, that the foregoing resolution be published in G. O. to the army, and be communicated, for their information and guidance,

guidance, to such civil officers as it concerns."

LIEUT. COL. R. B. OTTO.

*Fort St. George, Sept. 16, 1828.*—Lieut. Col. R. B. Otto, quarter-master general of the army, is permitted to return to Europe on furlough for three years.

The Right Hon. the Governor in Council takes this opportunity of expressing, in General Orders, his approbation of the services of Lieut. Colonel Otto, during an uninterrupted period of nearly thirty years, during which time he has held confidential and important situations under this Government, with advantage to the service and credit to his own character.

#### OFF-RECKONING FUND.

*Fort St. George, Sept. 26, 1828.*—The following extract from a letter from the Hon. the Court of Directors in the military department, under date the 21st May 1828, is published in General Orders.

Para. 2. "It appearing by a statement which has been laid before us, that the average amount of a full share on the Off-Reckoning Fund in the last six years of which the accounts have reached us, has been upwards of one thousand three hundred pounds (1300), we have determined to augment the advance to the sharers from £750 to £1,000 per annum, which arrangement is to take effect from the 1st of January last; so that the next and future half-yearly advances will be £500 instead of £375.

3. "Corresponding increases will be made in the advances to the half-sharers, who will therefore hereafter receive £250 each half-year instead of £200."

#### COURT-MARTIAL.

LIEUT. AND ADJUTANT W. DYER.

*Head-Quarters, Simla, Sept. 27, 1828.*—At a general court-martial held at Fort St. George, on the 8th Aug. 1828, Lieut. and Adjutant Wm. Dyer, of H.M.'s 41st regiment, was arraigned on the following charge:

*Charge.*—For scandalous and infamous behaviour, such as is unbecoming the character of an officer and a gentleman, in having, at sea, on board the H.C.'s ship *Macqueen*, on the 3d May 1828, abused and struck Mr. James Walkinshaw, purser of the said ship.

The above being in breach of the Articles of War.

*Finding.*—The court having most maturely weighed and considered the whole of the evidence adduced in support of the prosecution, as well as what the prisoner, Lieut. and Adj. Wm. Dyer, of H.M.'s 41st regt. of Foot, has urged in his de-

fence, and the evidence adduced in support of it, is of opinion as follows:

That the prisoner, Lieut. and Adj. Wm. Dyer, is guilty of behaviour such as is unbecoming the character of an officer and a gentleman, in having, at sea, on board the H.C.'s ship *Macqueen*, on the 3d May 1828, struck Mr. James Walkinshaw, purser of the said ship, but acquits him of the rest of the charge.

*Sentence.*—The court having found the prisoner guilty to the above extent, and the same being in breach of the Articles of War, doth sentence him, the said Lieut. and Adj. Wm. Dyer, of H.M.'s 41st Foot, to be discharged from H.M.'s service.

Approved and confirmed,  
(Signed) COMBERMERE,  
General, Com.-in-chief.

Remarks by the Right Hon. the Commander-in-chief.

In consideration of the previous high character of the prisoner, his youth, and the gross provocation offered in presence of the troops he was parading, which led to the unguarded act of which he has been found guilty, the Commander-in-chief is pleased to remit the sentence which has been awarded.

Lieut. Gen. Sir G. Walker, G.C.B., will be pleased to admonish Lieut. Dyer, and warn him to be more circumspect in his conduct in future, in presence of the staff officers of his Majesty's service at Fort St. George; after which he is to be released from arrest, and return to his duty.

The foregoing order is to be entered in the General Order Book, and read at the head of every regiment in his Majesty's service in India.

By order of the Commander-in-chief,  
WILLOUGHBY COTTON,  
Adj.-gen. H.M.'s Forces in India.

#### CIVIL APPOINTMENTS.

Oct. 2. Mr. Wm. Marsh, master attendant at Mangalore.

3. W. A. Neave, Esq., head-assistant to principal collector of Coimbatore.

W. E. Underwood, Esq., register to Provincial Court of Appeal and Circuit for centre division.

R. T. Porter, Esq., head assistant to collector of Chingleput.

7. H. C. Montgomery, Esq., head-assistant to principal collector and magistrate of Tanjore.

J. G. S. Bruere, Esq., register to Zillah Court of Chittoor.

10. A. F. Bruce, Esq., head-assistant to principal collector of Nellore.

14. T. Prendergast, Esq., assistant to principal collector and magistrate of Tanjore.

#### MILITARY APPOINTMENTS, PROMOTIONS, &c.

*Fort St. George, Sept. 16, 1828.*—Surg. M. S. Moore to be superintending surgeon, to complete estab., v. Owen prom. to Medical Board, and to be posted to northern division.

Superintend.

Superintend. Surg. M. S. Moore to act as superintend. surg. in Doob, during absence of Superintend. Surg. Macaulay on sick certificate.

Surg. Claud Currie to be cantonment surgeon at Belgaum, v. Moore.

Maj. Davis, 2d Nat. Vet. Bat., transferred to pension establishment.

Mr. E. W. Fyre admitted on estab. as an assist. surg., and app. to do duty under gar. surg. of Fort St. George.

Sen. Assist. Surgs. D. S. Young and R. Filson to be gar. surg. v. Wm. McDowall and G. Bruce retired.

Sept. 19.—41st N.I. Sen. Lieut. (Brev. Capt.) Alex. Macarthur to be capt., and Sen. Ena. W. B. McCally to be lieut., v. Leggat dec.; dated 17th Sept. 1821.

Cadet of Infantry A. Worsley admitted on estab., and prom. to ensign.

Cadet of Cavalry Alex. Rait admitted on estab., and prom. to cornet.

Messrs. D. Christmas and T. Hagger admitted on estab. as veterinary surgeons.

Sept. 26.—Maj. Jas. Hanson, dep. qu. mast. gen. of army, to be qu. mast. gen. of army, with official rank of lieut. col., and a seat at the Military Board, v. Otto proceeding to Europe.

Capt. Wm. Strahan, assist. qu. mast. gen. of army, to be dep. qu. mast. gen. of army, with official rank of maj., v. Hanson prom.

Capt. W. J. Butterworth, 30th N.I., to be assist. qu. mast. gen. of army, v. Strahan.

Lieut. H. F. De Montmorency, 3d L.C., to be allowed to return to his situation as dep. assist. qu. mast. gen. of army, v. Butterworth.

Head-Quarters, Sept. 15, 1820.—Lieut. Col. H. W. Sale removed from 1st Europ. regt. to 43d N.I., and Lieut. Col. W. Clapham from latter to former regt.

Sept. 17.—Major R. Jeffers removed from 3d to 4th Nat. Vet. Bat.

Capt. S. Stuart (recently transf. to inv. estab.) posted to Carnatic Europ. Vet. Bat.

Cornet L. Macqucen removed, at his own request, from 8th to 3d L.C.

Cornet Alex. Rait (recently arrived) app. to do duty with 1st L.C. until further orders.

Veterinary Surgs. D. Christmas and T. Hagger posted, former to 1st brig. horse artillery, and latter to 4th L.C.

Ens. M. H. Hiern, posted to 41st N.I.

Sept. 19.—Lieut. Col. Com. D. C. Kenny, removed from 47th to 34th or C.L.I.

Lieut. Col. Com. M. L. Pereira removed from 34th or C.L.I. to 16th N.I.

Lieut. Col. Com. A. Monin (late prom.) posted to 47th N.I.

Lieut. Col. R. Short (late prom.) posted to 47th N.I.

Assist. Surg. A. Warrand removed from 35th to 21st N.I.

Capt. C. M. Robertson, 11th N.I., app. to charge of details of sick of regiments on foreign service at Wallajahbad, v. Leggat.

Sept. 20.—*Removals and Postings in Artillery.*—Lieut. Col. Wm. Cullen (late prom.) to 2d bat.; Maj. T. T. Paske (late prom.) to 1st bat.; Capt. A. G. Hyslop from 4th to 3d bat.; Capt. H. S. Ford (late prom.) to 4th bat.

Fort St. George, Sept. 23.—Maj. Gen. the Earl of Carnwarth, H.M.'s service, app. to command of southern division of army.

Lieut. Col. R. Armstrong, directed to resume command of Bangalore.

Lieut. H. J. Nixon, transf. from pension to invalid establishment.

Assist. Surgs. W. Lawrie and S. H. Royes permitted to enter on general duties of army.

Cadets of Infantry W. S. Robertson, W. McG. Carden, and R. Rollo admitted on estab., and prom. to ensigns.

Sept. 26.—Capt. John Campbell, H.M.'s 38th regt., to be aide-de-camp, and Lieut. Brev. Capt. Robert Ware, same regt., to be an extra aide-de-

camp to Maj. Gen. Sir Arch. Campbell, commanding troops on Tenasserim coast, from 1st Nov. 1827.

Capt. the Hon. A. A. Dalzell, H.M.'s 48th Foot, to be aide-de-camp to Right Hon. Maj. Gen. the Earl of Carnwarth, commanding southern division of army.

Mr. Wm. Sheddin admitted on estab. as an assist. surg., and app. to do duty under gar. surg. of Fort St. George.

Sept. 30.—45th N.I. Sens. Ens. F. B. Iya to be lieut., v. Logan dec.; dated 15th Sept. 1828.

Messrs. J. McKenna and O. Palmer admitted on estab. as assist. surg., and app. to do duty, former under gar. surg. of Poonamallee, and latter under cantonment surg. of St. Thomas's Mount.

Oct. 3.—1st Lieut. R. Henderson, of engineers; to be assistant to superintending engineer in southern division, v. Best.

Surg. J. Henderson, H.M.'s 80th regt., to act as deputy inspector of H.M.'s hospitals from 3d July last, v. Brown dec., and until relieved by Surg. Strachan.

*Returned to duty, from Europe.*—Maj. W. B. Spry, 41st N.I.—Capt. John Watkins, 5th L.C.—Capt. W. D. Dalzell, 16th N.I.—Capt. And. Gray, 28th N.I.—Lieut. W. Scott, 43d N.I.—Capt. W. S. Bury, 2d L.C.—Lieut. G. D. Clayhill, 40th N.I.—Capt. H. Walter, 50th N.I.—Lieut. Col. Wm. Burton, artillery.—Capt. J. N. Abdy, artillery.

## FURLONGHS.

*To Europe.*—Sept. 16. Lieut. Col. R. B. Otto, qu. mast. gen. of army.—19. Capt. W. C. Hasker, 3d Nat. Vet. Bat.—Lieut. A. E. G. Turnour, 21st N.I., for health.—22. Lieut. T. A. H. Rawstone, 6th N.I., for health.—Assist. Surg. C. Searle, for health.—26. Capt. G. A. Underwood, acting civil engineer in southern div., on private affairs.—30. Capt. J. Drever, 19th N.I., for health.

*To Calcutta.*—Sept. 30. Ens. Edw. Hughes, 39th N.I., for six months, on private affairs.—Capt. W. S. Bury, 2d L.C., ditto, ditto.—Lieut. W. F. Todd, 43d N.I., for four months, on ditto.

*To N.S. Wales.*—Sept. 23. Capt. C. Swanston, paym. in Travancore and Timmelveley, for twelve months, for health.

*To Cape of Good Hope.*—Sept. 30. Surg. A. Johnston, for health (eventually to Europe).

## LAW.

SUPREME COURT, September 24.

The Advocate-general moved for a writ of *habeas corpus* directed to Edward Noakes, master of the ship *Ionach* (free trader), requiring him to produce the bodies of Henry Airey, Joseph Bush, Holland Watson, H. H. Barnett, John Thomson, Wm. Bridge, H. Kay, and C. A. Morris, detained in a state of imprisonment on board the said vessel, and also to return the days and causes of their taking and detention.

It appeared from the affidavits of Roger Rollo and two others, cadets for this presidency, and fellow-passengers of the above-named (who are cadets for the Bengal presidency), that in consequence of some dispute, on the 10th instant, at the cuddy table, between the master and a passenger (a Bengal officer of the name of Rice), the former ordered Mr. Rice to quit the cuddy table, and consider himself in arrest, and that soon after this order had been carried into effect, Capt. Noakes stated to the other passengers, that if any of

of them held communication with Mr. Rice, he would put all persons so offending in arrest. One of the parties asked if they might visit Mrs. Rice; upon which Capt. Noakes replied, he considered the whole cabin in arrest. It further appeared, that this order having been disregarded by the eight persons above-named, as well as by the deponents, they were all placed in arrest, and confined to their cabins, the butcher being placed as a guard at the cabin door of Mr. Rice; and that they were only allowed to exercise at stated hours in the morning and evening, until the ship arrived in the roads. The affidavit concluded by stating, that the three deponents had subsequently been released, but that all the other persons were still detained on board by Capt. Noakes, and that there was no cause other than the above-named for their detention.

It appeared further, that Mr. and Mrs. Rice had got on shore, and having applied to the Adjutant-general and Governor here, were released, and have since proceeded to Calcutta; and also that the three deponents were detained on board for thirty-six hours after the *Louach* anchored in the roads, and were released in consequence of their having their appointment for this presidency, and the eight others for Calcutta.

The court granted the writ returnable to-morrow.

September 25.

A return to the writ was this day made, in the following terms: "the parties mentioned in the within writ were not detained by me or by my orders at the time of issuing the within writ, and were not in custody, except as passengers, on board the ship *Louach*, now in Madras Roads, which I command, and on board which ship the said Henry Airey, &c. &c. remained of their own free will, as far as I know to the contrary. I do further return, that since Sunday the 21st inst., I have not been permitted by the Government of Madras to proceed on board the said ship *Louach*, whereby I am prevented returning more fully what may have occurred on board such ship since the last-mentioned day."

The *Advocate-general* immediately moved for an attachment against Capt. Noakes, for returning an equivocal and false return to the writ; he had made a special return instead of a common return. The affidavits on which the writ issued stated the particulars of the taking; the party making this special return must have had some notice of the affidavits, for not only himself, but his professional advisers, were in court at the time the affidavits were read, and there had been some talk of his putting the parties in irons; and if the court did not interfere he might still do

so, and carry them on in that state to Calcutta. The court did not know that there had been a release. The Captain, if he has been advised to make a special return, ought to have stated how and when they were liberated. The exception in the return, of their being on board his ship as passengers, and that they were not detained by him or by his orders, or that they were not in his custody at the time of issuing the writ, may shew that they were so before the issuing of the writ; he ought to have stated that they were not in his custody at the time of asking for the writ, or that they never were in his custody. Whether he had or had not been prevented going on board his ship had nothing to do with it; he might have sent to his officer; or he might have sent a polite note, or even an insulting one, to his passengers, that they might come on shore when they pleased. If the Captain has not been permitted to go on board, he might have returned he had them for such and such purposes.

Mr. Lewis.—The return was made in a great hurry, and under particular circumstances, and the Captain is ready to amend the return. He asked for a rule to shew cause.

The *Advocate-general* stated, that the return had been made, and it was now too late to make any amendments.

Chief Justice.—It is quite clear the return is insufficient. As to its being made in a hurry, that is no excuse; you took your own time, and a short day was named to suit the convenience of the Captain. As to his not being permitted to go on board his ship, that could not prevent his sending orders to his chief officer. Take a rule to shew cause why an attachment should not issue.

September 26.

*Rollo v. Noakes*.—The *Advocate-general* moved that a *capias* might issue against J. Noakes to hold him to bail, on affidavit by the plaintiff and another, stating the imprisonment, by the Captain ordering Mr. Rollo from the deck of the ship to his cabin, and his being forced to his cabin by the officer obeying the orders of the Captain, that he was kept in confinement by the ordering of the Captain, and that he had been confined for ten days, being allowed to go on deck at particular hours only to take exercise, and at that time was under arrest. A plaint had been filed, and damages stated at 10,000 rupees. The affidavit further stated that deponent had heard and believed the Captain was about to proceed with his ship, the *Louach*, to Calcutta, out of the jurisdiction of this court.

Writ granted; to be held to bail in the sum of 2,000 rupees; and it was stated by the court, that if the affidavit had explained

ed the facts more fully, it might perhaps have been for a larger amount.

September 30.

This being the day when cause was to be shewn against the attachment made against Capt. Noakes, of the ship *Leopold*, for making an equivocal and insufficient return to the writ of *habeas corpus* moved for on the 14th :

The *Advocate-general* stated, there had been a proposal that the Captain should take the gentlemen for whom the writ had been moved, on to Calcutta as his passengers, and treat them as gentlemen during the rest of the voyage, and on his promising to do this, and on his paying all the costs from the first asking for the writs, the *Advocate-general* would consent that the rule for an attachment should be discharged.

Mr. Lewis, on behalf of Capt. Noakes, agreed to the terms, and said that the return was undoubtedly not sufficient in law, but that in point of fact, all the parties were at large at the time of making the return.

The rule for an attachment was discharged.

## MISCELLANEOUS.

### THE DRAMA.

We observe with much satisfaction, that a meeting of the amateurs of the drama was held at the Pantheon, on Wednesday last, when a committee, secretary, and treasurer, were appointed. Subscriptions to a considerable extent, we understand, have been collected, and preparations for an early performance were in great forwardness; the parts for a play and a farce were strongly cast. The revival of the drama at Madras reflect great credit on the exertions of the committee of management, and it is most gratifying to observe, that the Right Hon. the Governor has been pleased to support the endeavours of the managers by his patronage.—*Mad. Gov. Gaz., Sept. 25.*

### ASSEMBLIES.

There was a mighty resurrection of the public balls on Friday evening. This once popular assembly has latterly been almost deserted, or at least very badly patronized; but the ball on Friday was more splendidly attended than any we recollect to have observed. The rooms were literally crowded with beauty and fashion, amongst whom the recent arrivals shone conspicuous; and we remarked with pleasure the return of some of the leading members of society, whose absence from the party is always a subject of regret. Dancing was commenced at a somewhat earlier hour than usual, and notwithstanding the intense heat of the evening, was

kept up with a spirit of animation that was delightful to witness. At midnight the revels were suspended for a season, the company, as a society which once greatly flourished here would say, adjourned from labour to refreshment. The supper tables were about with sufficient profusion all round the gallery, but they were scarcely adequate for the large party which had assembled. A brief interval sufficed to recruit the spirits of the votaries of the ball room. The Spanish dance was then called, and the movements of that bewitching dance were never gone through at Almack's with more grace and elegance than by some of the lovely stars who displayed their charms on Friday evening. When our informant quitted the rooms at nearly two o'clock, they were scarcely at all thinned, and waltzing and quadrilling were going on as merrily as ever. The season of gaiety which has commenced so well at the threshold of our cool quarter, will no doubt be continued. To-night there will be a party at the Government House. To-morrow evening the Hon. Mr. Taylor will entertain his friends. Numerous other parties are spoken of.—*Mad. Cour., Sept. 23.*

### STEAM NAVIGATION.

The following resolutions were supported by most of the official and mercantile gentlemen of the Madras community, at a meeting held on the 4th October:—

1st. That this meeting do approve, and are desirous of seconding to the utmost of their power, the efforts that have been lately made in Calcutta for the promotion of a communication by means of steam vessels between this country and England.

2d. That the plan submitted by Mr. Waghorn for accomplishing the object referred to in the foregoing resolution, is deemed to be worthy of encouragement.

3d. That subscriptions towards the furtherance of Mr. Waghorn's plan be opened, and that the mercantile agents at Madras be requested to receive the same up to the 14th of January, on which day the sums so collected shall be paid to Messrs. Arbuthnot and Co., to be remitted to J. Begbie, Esq., secretary to the East-India Trade Committee, for the purpose of being applied towards the proposed object, under proper restrictions and provisions.

4th. That the following gentlemen do form a committee for the purpose of carrying the foregoing resolutions into effect: Col. Conway, Mr. McDonell, Mr. Norton, Mr. Binny, Mr. E. Gordon, Mr. Wardrop, Col. Hanson, Mr. Lys, Mr. Cator, Mr. Seth Sam, Col. Cadell, Mr. Griffiths.

5th. That copies of the proceedings of this meeting be forwarded to the out-stations

tions of this presidency, that all who are interested in a quicker communication than now exists with England, be made aware of the sentiments entertained here towards the project, and be induced thereby to subscribe in aid of its execution.

## SHIPPING.

## Arrivals.

Oct. 9. Lord Lyndoch, Beadle, from London.—10. Minstrell, Arkcoll, from Calcutta; Juliana, Farbutt, from London; and Victory, Farquharson, from Calcutta.—11. Ramé, Buller, from Calcutta.—12. Henriette, Destangue, from Bombay and Penang.—14. Belzoni, Talbert, from London; and Mountaineer, Canney, from Bombay.—16. Ann, Fayer, from Colombo.

## Departures.

Sept. 25. H.C.S. Rose, Marquis, and Children, Parry, both for Calcutta.—26. Malcolm, Eyles, for Calcutta.—27. Asia, Ager, for London.—Oct. 1. Lomach, Noakes, for Calcutta.—2. Roxburgh Castle, Denney, for Calcutta.—3. Atlas, Hunt, for Calcutta.—5. Agnes, Millons, for Calcutta.—6. L'Antif, Chevalaure, for Calcutta.—12. Juliana, Farbutt, for Calcutta, and Fene, Buller, for Isle of France and London.—15. Lord Lyndoch, Beadle, for Calcutta.—16. Cirassian, Douthwaite, for London.—17. Belzoni, Talbert, for Calcutta.—18. Victory, Farquharson, for London.—19. Minstrell, Arkcoll, for London; and Mountaineer, Canney, for Calcutta.

## BIRTHS.

Sept. 12. At Nagpore, the lady of Capt. F. W. Hands, 38th Madras regiment, and under the resident at Nagpore, of a son.  
20. At Belgaum, the lady of Lieut. and Adj. H. W. Lardner, 50th Madras N.I., of a son.  
— At Trichinopoly, the lady of Lieut. Evans, fort adj. at that station, of a son.  
23. At Bangalore, the lady of Capt. Biddle, of the artillery, of a son.  
25. At Madras, the lady of Capt. Dawson, paymaster of H.M.'s 18th regt., of a son.  
— At Berhampore, the lady of Dr. G. Pearse, assist. surg. 37th N.I., of a daughter.  
Oct. 4. At Negapatam, the lady of J. Goldingham, Esq., civil service, of a daughter.  
16. At Madras, the lady of his Exc. Lieut. Gen. Sir Geo. Walker, commander-in-chief, of a son.

## MARRIAGES.

Sept. 23. At Bellary, D. H. Paine, missionary and superintendent of the mission press, to Sarah Elizabeth, only daughter of the late Rev. Augustus Des Granges, missionary at Vizagapatam.  
— At Madras, Mr. Benj. Lacey to Miss Lydia Taylor.  
29. At Bangalore, Lieut. Andrew Dyce, sub-assist. commissary-general, to Clara Anne, second daughter of the late T. H. Goodhinge, of Londonderry, Ireland.  
Oct. 1. At Madras, W. E. Underwood, Esq., civil service, to Magdalen, youngest daughter of W. Thompson, Esq., M.D., Wexford, Ireland.  
2. At Allepie, Lieut. Col. White, to Eliza, daughter of the late Col. White, and niece of J. W. White, Esq., of Whooton Lodge.  
9. At Trevandrum, Lieut. Arch. McNair, 15th regt., to Mary Eliza, eldest daughter of Capt. Gray, H.M.'s 30th Foot.  
12. At Masulipatam, Lieut. N. Burrard, adj. 1st Europ. Regt., to Miss E. M. Cooper, daughter of Maj. Leonard Cooper, commanding same regt.

## DEATHS.

Aug. 24. At the French Rocks, near Seringapatam, Mr. Chas. Davidson, aged 55.  
27. At Madras, Sydenham Chas. Clarke, Esq., of the civil service, son of Lieut. Gen. Tredway Clarke, of this establishment.  
28. At Deesa, Ens. A. C. Donaldson, 2d regt. European Infantry, aged 19.  
Sept. 14. In Camp at Jaulnah, Lieut. W. H. Logan, 45th regt. N.I.  
22. At Vellore, Harriet, eldest daughter of Mr.

Conductor Harris, ordnance department, aged 11 years.

— At Pulicat, Mr. J. L. Meykamp.  
25. At Belaurum, in the 37th year of his age, Mr. C. C. Brooks, merchant, in Secunderabad.  
10. At Madras, Mrs. Hosannah Carrapiett,  
11. At Madras, Mrs. Elizabeth de Viet, sister of Mrs. Catherine Collins.  
12. At Madras, Maria Euphemia, wife of Robert Wilson, Esq., M.D., port and marine surgeon, surgeon to the Male Asylum, and police establishment, and daughter of the late Lieut. Col. Flint, of H.M.'s 24th regt. (for King's own Bor-

## Bombay.

## GOVERNMENT GENERAL ORDERS.

## APPOINTMENTS TO THE GENERAL STAFF.

Bombay Castle, Oct. 17, 1828.—As the order published on the 23d of July 1824, prohibiting officers from being appointed to the general staff till they had served a specific period with their corps, may be misapprehended, it becomes necessary to state, that it was never meant to have a retrospective effect, nor to apply to any officers who held staff situations, or were employed by Government on survey, or other duties, at the date of its publication.

## SUPERINTENDENT OF MARINE.

Bombay Castle, Oct. 18, 1828.—The Hon. the Governor in Council has been pleased, in the marine department, to resolve, that the Superintendent of Marine be allowed the military rank of a major-general, and all the honours due to that rank.

## PUBLIC SERVANTS.—SUPREME COURT.

Bombay Castle, Oct. 21, 1828.—The Hon. the Governor in Council deems it his duty to prohibit all public servants, civil, military, or marine, from publishing in the newspapers any paragraphs or letters, in their own name, or under anonymous signatures, that have any allusion to the proceedings of his Majesty's Supreme Court at Bombay. If they deem themselves aggrieved or injured in their reputation by any such proceedings, and circumstances forbid their seeking or obtaining legal redress, they should submit their case to Government, to whom in such event exclusively belongs the protection of the honour and integrity of its public officers, and of that service to which they belong.

By order of the Hon. the Governor in Council.

JOHN BAX, Sec. to Gov.

## CIVIL APPOINTMENTS.

## Territorial Department.

Oct. 20. Mr. B. Hunt, acting 1st-assistant to collector at Poona.

24. Mr.

24. Mr. N. Kirkland, deputy collector of sea customs in Guzerat.

Mr. G. H. Pitt, 2d-assistant to collector and magistrate at Broach.

Mr. J. H. Bainbridge, assistant to collector and magistrate at Ahmednuggur.

Mr. Wm. Eacombe, 3d-assistant to collector and magistrate in Northern Concan.

Mr. C. A. H. Tracey, acting 3d-assistant to collector and magistrate at Poonah.

Mr. Edw. Chamier, supernumerary assistant to collector and magistrate in Southern Concan.

Mr. E. J. Stracey, supernumerary assistant to collector and magistrate at Poonah.

Mr. John Gordon, supernumerary assistant to collector and magistrate in Southern Concan.

Nov. 7. Mr. J. C. Elliot, acting sub-collector on Southern Mahratta country during absence of Mr. Stevenson.

#### General Department.

Nov. 7. Mr. J. A. R. Stevenson, secretary to Hon. the Governor for conducting native correspondence during remainder of his tour, from 14th Oct.

#### Commercial Department.

Oct. 20. Mr. Alex. Bell, junior acting deputy warehouse-keeper.

#### Judicial Department.

Nov. 6. Mr. J. H. Farquharson to act as senior assistant judge and session judge of Poonah, at Sholapoor.

### LAW.

#### SUPREME COURT.

*In the matter of Bappoojee Gunness.*—This and the next case have, in their consequences, proved so important, that we are induced to publish the proceedings, nearly in full, as they appear in the *Bombay Gazette*.

On the 10th September Mr. Morley moved, on the ground of an affidavit, that a writ of *habeas corpus ad subjiciendum* be issued directed to the keeper of Tannah gaol, to bring the body of Bappoojee Gunness, Hindoo, into court on the 19th inst.

On the 22d. Mr. Morley moved that the writ issued be returned. The body of Bappoojee Gunness not being produced in court, the return was not received. Mr. Morley moved for a writ of attachment against the gaoler of Tannah, for disobedience to the writ, which was ordered accordingly, directions being at the same time given, that the writ of attachment should lie in the Crown Office until the 24th, it being understood that on that day the prisoner would be produced in court.

On the 26th, the *Advocate General* moved that the attachment be set aside on payment of costs, and that (the body of the said Bappoojee Gunness being present in court) the return to the writ of *habeas corpus* be read, which was accordingly ordered by the court.

The return having been read, Mr. Morley moved that the said return be filed; but the court gave time to amend the said return until Tuesday the 30th day of September; and ordered that the said Bappoojee Gunness be detained in custody by the sheriff of Bombay until the said 30th

day of September, and that said sheriff should then bring the body of the said Bappoojee Gunness before the court.

On the 30th the sheriff brought the body of the said Bappoojee Gunness before the court: and Mr. Morley moved that the return to the writ of *habeas corpus* issued in this matter should be read, which was accordingly done. The return, when read, appeared not to have been amended, and Mr. Morley moved that the said return be filed, which was accordingly ordered by the court.

Mr. Morley next moved that the said Bappoojee Gunness be discharged, and the court ordered that he should be discharged accordingly.

The judges present in these proceedings, were Sir C. II. Chambers and Sir J. P. Grant.

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The answer to the writ was as follows.

The answer of Francis Anthony, Gaoler, filed this 26th September, 1828.

#### Schedule.

Tannah, in the } We, Govind Rao  
Northern Conkan, } Jayram, Nazer of the  
to wit, } court of Adawlut of  
the zillah of the Northern Conkan, and  
Francisco Antonio, head gaoler of the  
gaol at Tannah, do humbly certify unto  
the Honourable the Supreme Court at  
Bombay, that before the coming of the  
writ directed to the said Francisco Antonio  
and to this schedule annexed, Bappoo  
Gunness, in the said writ named, was  
taken, and detained under our custody,  
by virtue of a certain order in writing of  
the Court of Adawlut of zillah of the  
Northern Conkan, in the Mahratta language,  
and in the following form and words.

(Seal of the Court)

(Signed)

EVAN H. BAILLIE,  
Criminal Judge.

A true translation whereof into the English language is as follows.

"To Govind Rayo Jayram, Nazir of the Court of Adawlut of the Northern Conkan; Mahomedan Era, Sursun, 1228.

"Bappoo Gunness, formerly a Curkoon in the Moorbaur talookh, an inhabitant of the village of Khondewah, in the turf of Wasrah, in the Nusrapoor talookh, has been found guilty of having appropriated to his own use, in the month of May, in the year 1827, seventy rupees of government money, which he had received from Sadoba Chinnajee, late comavisdar of the Moorbaur talookh, for the purpose of advancing to the Koorumbus, or cultivators, of the village of Khasghaum, in the Gorat purgunsh, in the Moorbaur talookh.

"There is likewise strong suspicion in the opinion of the court of his having been concerned in various other frauds and

and forgeries committed against the government.

"You are accordingly ordered to levy from the prisoner Bappoo Gunness the sum of Rupees 350, being five times the amount of the Rs. 70 embezzled by him, and to keep him in confinement in the gaol of the Northern Conkan for the term of two years, and then to discharge him, should the amount of the fine be paid; but in the event of the fine not being paid, you are then to keep him in confinement for one year more.

"Dated 8th May, 1828."

And this is the only cause of taking and detaining the said Bappoo Gunness, in the said writ named, which together with his body, we have ready as by the said writ required.

The answer of Govind Row Jairam Nazer.

FRANCIS ANTHONY, Gaoler.

The affidavit, on the ground of which the writ was moved for, is as follows:

In the Matter of Bappoojee Gunness, Hindoo, confined in Tannah gaol.

Babool Ramjee of Bombay, Hindoo inhabitant, maketh oath and saith that he this deponent by the request and direction of Bappoojee Gunness, an Hindoo, at present confined in the gaol at Tannah on the island of Salsette, did on the 5th day of September instant, go to Francisco Antonio a Portuguese, the head gaoler or keeper of Tannah gaol, and did then and there deliver to him the said Francisco Antonio a requisition or demand in writing under the signature of the said Bappoojee Gunness, thereby demanding of him the said Francisco Antonio a copy of the warrant under which he the said Bappoojee Gunness was detained in his custody, and desiring him to give such copy to his agent, this deponent, the bearer thereof, a copy of which requisition or demand is hereunto annexed marked with the letter A; and that he this deponent did on delivering to him the said Francisco Antonio the said requisition or demand, ask and demand of him a copy of the warrant under which the said Bappoojee Gunness was detained and confined in his custody; to which the said Francisco Antonio replied, that "I am under Nazer's order;" when this deponent again demanded from the said Francisco Antonio a copy of the warrant; to which he Francisco Antonio replied that if he this deponent wanted a copy of the warrant he must apply to Mr. Baillie, and that if Mr. Baillie gave him an order to give a copy he would give it, but without an order he would not give it, and that they had no Bombay regulation at Tannah; and this deponent further saith, he verily believes that the said Francisco Antonio on the first day of September instant, was and ever since has been and now is employed by and is in the service

of the United Company of Merchants of England trading to the East Indies, or one of his Majesty's British subjects residing in India, and that the said Francisco Antonio resides in the island of Salsette; and this deponent further saith that the said island of Salsette is a territory subject to the jurisdiction of this honourable court as this deponent has been informed and believes; and this deponent further saith that he believes that Tannah aforesaid is not more than fifteen miles from the island of Bombay, and is not more than twenty-four miles from the Supreme Court of Judicature.

(Signed) BABOOL RAMJEE.

Sworn at Bombay aforesaid, }  
this ninth day of September }  
1828.

30th August.

An application having been made for a writ of *habeas corpus*, directed to Pandurang Ramchunder, residing at Poonah, directing him to bring his nephew, Moro Ragonath, alleged to be held in confinement by his aforesaid uncle, the question whether he was amenable to the said writ, and the jurisdiction of this court, being a native resident at Poonah, was argued before Mr. Justice Grant in chambers, this day, who ultimately directed the writ to issue.

September 29.

The judges (Sir C. H. Chambers and Sir J. P. Grant) gave their judgments *seriatim* on the return to the writ.

Mr. Justice Chambers.—This case came on for our consideration on the 15th of the present month. The circumstances are as follows. A writ of *habeas corpus* had been granted by Mr. Justice Grant in vacation, directed to one Pandoorung Ramchunder of Poonah, Hindoo, to bring in the body of Moro Ragonath, alleged to be in his custody, before the Supreme Court on that day (the 15th September).

The affidavits on which the writ was granted were the following:

1st. Dinker Gopall, Hindoo, late inhabitant of Poonah (the father of the wife of the said Moro Ragonath), swears that the said Moro Ragonath is (and has been for twelve months) in confinement in the house of the said Pandoorung Ramchunder. That deponent and some other near relations of Moro Ragonath, by name Mahadajee Punt, and Ramchunder Punt, came from Poonah to Bombay in July last to obtain the interference of the Supreme Court. That the said Pandoorung Ramchunder is the grand uncle of the said Moro Ragonath, and in case of his death without issue would succeed to great portion of his property. That the family became a divided family in 1809. That the father of Moro Ragonath died ten years ago intestate, leaving Moro Rago-



nath his heir under the management of Bynabaye his grandmother, and that the said Bynabaye departed two years ago, leaving Moro Ragonath in guardianship of this deponent, and the said Mahadajee Punt of Poona his guardian. That he was in the care of the said Mahadajee Punt till the 4th September last, when he was seized and carried away by the said Pandoorung Ramchunder without any authority or right to do so.

2d Affidavit by the same deponent. Din-ker Gopall Deo, Hindoo, late of Poona, but now residing in Bombay (whose daughter is duly married to Moro Ragonath, an infant of the age of fourteen years, who was born at Poona in the Deccan, a place within the territories, subject to or dependent upon the government of Bombay), swears that Moro Ragonath was on horseback on the 4th of September last, in company with his friend, proceeding to the house of a relation at Poona. That they met a carkoon, named Wittoba Rananda, and four others, armed with sticks and bludgeons; and this deponent believes that the said Wittoba and his companions were in the employ of Pandoorung Ramchunder. That by his orders they carried away Moro Ragonath by force, and confined him in a stable during the night. That on the 5th they carried him to Pandoorung Ramchunder's house, where he has been under restraint ever since. That Pandoorung Ramchunder is a private individual residing at Poona, holding no official situation, and is a very distant relation of Moro Ragonath. That Moro Ragonath is entitled to a great property. That Pandoorung Ramchunder is not entitled to the care of the said Moro Ragonath or his property. That on the 12th July last, Moro Ragonath escaped from the house of Pandoorung Ramchunder and proceeded to Bombay with his friends, relatives, and followers. That on the 13th July, he was seized by order of Mr. Dunlop, judge and magistrate at Poona, at a village called Thatowda, six coss from Poona. That he was carried back to the house of the said Pandoorung Ramchunder, where he has been confined ever since. That the life of Moro Ragonath is in danger, &c.

3d Affidavit: Purneram Bulloil Lohagree Booday, late of Poona, but now of Bombay, a carkoon in the service of Moro Ragonath, swears. That on—day of September last, Moro Ragonath was seized in deponent's presence, and dragged from his horse at Poona by the said Wittoba Rananda, and others in the employ of Pandoorung Ramchunder, confined in a stable, and then carried to the house of Pandoorung Ramchunder, confined there till the 12th July last, when he escaped, and was proceeding to Bombay. On July 13th he was seized by Mr.

Dunlop's orders, and carried back to the house of Pandoorung Ramchunder, where he has been confined ever since. House guarded by peons under the orders of Mr. Dunlop.

4th Affidavit: Suntoo Setty, Hindoo, late of Poona, now of Bombay, peon, states the seizure of Moro Ragonath on horseback on the 4th September, and deponent driven away and never been able to converse with his master. Moro Ragonath escaped on 12th July; that a few minutes before he got into his palanquin, Francis de Rosa served him with rule to shew cause, &c. July 13th seized and carried back to Poona. Confirms the statement as to Mr. Dunlop's conduct. Fiat for *habeas corpus* bears date 13th September 1828. Writ sealed 3d September 1828.

On the 15th September Mr. Irwin moved that the return to the writ should be filed.

Return, read and filed. I, Pandoorung Ramchunder Dumdurr'e, am the relation and friend of the Peishwa. I never in my life have been the servant of the English government or of the English. At the time the Company's government took possession of Poona; they gave me then word that I should live without fear or molestation; depending upon that, I remained at Poona; and as for my grandson Moro Ragonath, I am his grandfather. He was placed under my charge that I might take care of him according to the usual custom; he the said boy is fourteen years old. For this reason, according to the shaster of the Hindoos, he is without knowledge; he is bound to behave agreeably to the orders of the person under whose charge he lives, and further it is necessary to take care of the property and wealth of that boy: more than this there is nothing, and there is nothing more done by me to him than by those to whose care a boy is delivered in the usual orders of seniority in a Hindoo's family. Should I by any chance do more or less, the same being make known to the Sudder Adaulut at Poona, it would be immediately stopped. After Moro Ragonath's grandmother died, he was delivered into my charge according to the rule, and I agreed to undertake that charge in order that my grandson's wealth might not be ruined. Without the leave of those by whose authority I took the charge, I cannot relinquish it. Dated 10th September, A. D. 1828, 1st Badrapud Sood An. Shal. 1750, the name of the year being Surodharee. Signed Pandoorung Ramchunder Deodur, otherwise Dumdurr'e. The body of Moro Ragonath was not produced.

This return, without production of the body, is clearly a bad return. Mr. Irwin moved for an attachment, but the court being unwilling to proceed by attachment, permitted Mr. Advocate General to shew cause

cause *instantly*, why a return was not made. Mr. Advocate General, in the course of his argument, admitted that he could not support the return on the supposition that the court had power to issue the writ: but he contended very ably that, in this particular case, the court had exceeded the authority conferred upon it by the charter. Mr. Irwin was heard in reply, and the court postponed giving their judgment till a future day.

This being the state of the proceedings, one of two courses is open to the court: that by attachment, which is the course in ordinary cases, or by following the old practice of issuing a second writ in the nature of the first, *i. e.* an *alias habeas corpus*, which will give an opportunity to the individual to whom the writ is directed to take a little more time for consideration, and to make a better return than that to the first writ.

The latter mode of proceeding the court are disposed to adopt in the present case, not so much from any doubt which exists in their own minds of their own authority, as from a wish to consider in a solemn way their right to do so; and in case they should come to the conclusion that they ought to enforce their right, they may not appear to act towards the person to whom this writ is directed with harshness or technical precision, in a case which, apparently, has now occurred for the first time in India.

The simple question, then, which it is my purpose to consider, is, whether in the case which I have stated, this court has the power to issue a writ of *habeas corpus*; but before I proceed further, I may remark, that supposing we have that power, the fact of the illegal detention remains uncontradicted upon this return, and is perhaps strengthened by the affidavit of Mackintosh Minasse, the person who served the former writ (which affidavit was put in after the return was made, not for the purpose of controverting the return, but as consistent with it). By that affidavit, it is true, it appears that Pandoorung Ramchunder received the writ with every demonstration of respect to the court, although he expressed his determination not to obey it. But it also appears, that although the deponent was permitted to see the boy, Moro Ragonath, he was not permitted to speak to him.

The question, when stated in the form which will shew the legal objections made to the power of the court, is as follows:—whether the powers of the King's Bench in England are conferred upon this court so as to enable it to watch over the personal liberty of all the king's subjects in India, without reference to the terms of that part of the charter by which the jurisdiction of the court is defined and limited to the trial of suits and actions against

those persons only who are declared distinctly and clearly by the charter to be subject to our jurisdiction when the word is used in that limited sense. Neither Moro Ragonath, the boy in whose favour the writ has been issued, nor Pandoorung Ramchunder, the person who detains him in custody, are subject to the jurisdiction of the court in this sense, and if the court have any authority, it must be founded upon some other principle of a wider and more extensive influence. Such, then, is the serious and important question which has been raised in this case. Serious and important it is in every point of view, in a political not less than a judicial one. But in bringing our minds to the consideration of it on the present occasion, as judges we can have nothing to do with political consequences. If, by correct reasoning, upon sound authorities in law, our minds are led to the conclusion that we cannot legally deny the writ in this case, there can be but one course to follow, that of enforcing in a discreet and temperate manner, the exercise of our legitimate authority; and if, in the course of our judgments, we are able to place the question beyond the reach of dispute, although we cannot allow the influence of political considerations to operate on our minds, I trust that the good sense of the local authorities, together with the caution with which it is our bounden duty to apply the general principle, will calm the apprehensions of those who may have entertained any on the subject. My learned friend, who has thought himself bound to issue the writ by the conviction of his own mind, upon a review of all the law of the subject, has given the best earnest that the judges of this court are seriously impressed with the necessity of preventing any abuse of the process of the court, by the solicitude he has shewn to make the whole object and effect of the writ intelligible to the individual to whom it was directed. It may, I think, be fairly questioned, whether, even when the general principle is established, there will be many calls for its exercise; but the question being plainly and broadly brought before me, I have but one course to pursue; to pronounce my judgment after the best consideration I can give to the subject.

Upon the first impression which I received from the facts of this case, I was not a little struck by the important feature in it of the intervention of Mr. Dunlop, the judge and magistrate at Poona, and I thought it possible that some ground might be laid for considering Pandoorung Ramchunder as his agent, and consequently, indirectly in the employ of the Company: but upon reflection I have been led to reject any such notion; and although the interference of Mr. Dunlop, as a servant of the Company, and subject to our jurisdiction,

tion, has had considerable influence on my mind in other ways, I am clearly of opinion, that no tortuous act, which at present we must presume this to be, could bring an individual within the description of persons employed by the Company, although, in any proceeding against Mr. Dunlop, the law might consider the acts of this individual as the acts of Mr. Dunlop, on the principle *qui fecit per alium fecit per se*. So that if we arrive at any conclusion which shall enable us to issue this writ of *alias habeas corpus*, it must be on the broad principle, that the charter gives us the authority to do so, although our jurisdiction, in a more limited sense, is not of so extensive a nature.

The consideration of this question naturally divides itself into two general heads. First, what the nature of the power of the court of King's Bench and other courts in England is in this respect, which will of course include the history and nature of the writ itself. And secondly, the extent of the powers conferred upon us by the charter.

It will be obvious to every person who has studied our constitutional history, that in discussing the first question, the ground we shall have to go over is very trite. That circumstance, however, will not deter me from going minutely into the subject, in order to make it as plain and intelligible as I can to those who are not conversant with the niceties of English law, and in order likewise to strip it of some of those imaginary difficulties which it is not unlikely appear to some to surround it.

The first thing, then, to be considered, is to ascertain what the nature of the proceeding is in our own country?—"Arbitrary imprisonment," says Mr. Hume, (speaking of the *habeas corpus* act) "is a grievance which, in some degree, has place almost in every government except in that of Great Britain. The great charter had laid the foundation of this part of our liberty, the petition of right had renewed and extended it; but some provisions were still wanting to render it complete, and prevent all evasion and delay from ministers and judges. The act of *habeas corpus* which passed this session (1679) served these purposes." And in another part of the same page he observes "this law seems necessary for the protection of liberty in a mixed monarchy, and as it has not place in any other form of government, this consideration alone may induce us to prefer our present constitution to all others." Nor are his observations on the great charter of our liberties, upon which the whole effect of this writ is grounded, less remarkable. "It must be confessed," he observes, "that the former articles of the great charter contain such mitigations and explanations of the

feudal law as are reasonable and equitable. And that the latter involve all the chief outlines of a legal government, and provide for the equal distribution of justice and the free enjoyment of property: the great objects for which political society was at first founded by men, which the people have a perpetual and inalienable right to recal, and which no time, nor precedent, nor statute, nor positive institution, ought to deter them from ever keeping uppermost in their thoughts and attention."

Nor were our ancestors backward in entertaining such sentiments. They regarded the great charter in all ages as the most sacred contract between the king and the people. The confirmation of it was repeated thirty several times, and in the time of Charles the First, the popular leaders, powerfully seconded by all the vigour which the declining years of Lord Coke could give them, reiterated the same sentiments with irresistible force, in support of the celebrated petition of right.

I have made the foregoing extracts and observations on the language of Mr. Hume, because I do not think that in his general opinions he was so favourable to public liberty as many writers who have avowedly enlisted themselves on that side. He has thought proper to intimate some qualifications of the general reasonableness of the provisions of the law of England in favour of the liberty of the subject. But I do not think they affect the general principle. It is true that in every country, in times of sedition or public commotion, in time of civil war or other disturbance, there must be for the time a suspension of the general privileges of the subject for the public good. Those occasional interruptions to the public peace are provided for, not only by the law of England, but by the law of common sense, which in all such cases, will enable a wise government to provide for the public safety with the least possible restraint on the personal liberty of the subject. Our consideration in the present case need not be embarrassed by such exceptions to the general rule: but from the knowledge which we derive from the various acts relating to the personal liberty of the subject, and the remarkable circumstances attending the struggles to secure it, the nature and the value of the blessing which our ancestors have handed down to us may be easily ascertained. Let it be emphatically remembered, that it is a privilege, and not a burthen; that it has been extorted from, and not spontaneously conceded by, our rulers, and we shall not have much difficulty in appreciating its value. Its nature may be deduced from the words of the great charter, and the petition of right. "No freeman," according

ing to those great monuments of our liberties, "may be taken or imprisoned, or be deprived of his freehold, or his liberties, or his free customs, or be outlawed or sailed, or in any manner destroyed, but by the lawful judgment of his peers, or by the law of the land." The existence of such a right, declared by such solemn authorities, implies that the law affords a remedy, and that every freeman if imprisoned has *ex debito justitiæ* a right to know the cause of his imprisonment; and if no legal cause of detention can be shewn, there must necessarily be a mode of freeing him by law from all coercion. Nor are the consequences of these propositions of a limited or local nature; for since it is a feature of our constitution, under a mixed monarchy, that there should be no arbitrary imprisonment, either by king or subject, every country which is acquired, either by conquest or otherwise, by the crown of England, inasmuch as by a necessary consequence it becomes part of the dominions of a mixed and limited monarchy, its inhabitants also become, by a kind of reciprocity, entitled to the inestimable privilege of personal liberty, secured and guarded by the remedies which the law of England has provided in all cases in which the liberty of a freeman is illegally invaded or infringed. That the whole of our Indian possessions are of the same nature as the other dominions of the crown there can be no doubt. There is certainly some complexity in the mode of government at first sight, but both law and reason lead us to the conclusion, that although directly and immediately these vast territories are governed by the dictates of a commercial company, the whole is but a part of the vast fabric of the English empire, and that its inhabitants, for all the purposes for which we are at present considering their condition, are, as subjects to the crown of England, entitled to the privileges of freemen. There was indeed a time when the advocates of the East-India Company were so ill advised as to assert an independent sovereignty in the Company over the provinces of Bengal, Bahar, and Orissa, by virtue of a firman from the Court of Delhi. But a watchful and enlightened House of Commons lost no time in extinguishing every vestige of such a pretension by a memorable resolution. The circumstances, moreover, under which that assertion of sovereignty was made, are widely different from those under which the territories under the Bombay government have come into our possession. Mr. Burke, in his motion relative to the speech from the throne in 1784, did not disdain to place this claim in a most advantageous point of view. "Further," it is stated in that motion, "to remove the impressions of the calumny concerning an attempt in the

House of Commons against the king's prerogative (namely, by Mr. Fox's India Bill), it is proper to inform his Majesty, that the territorial possessions in the East Indies never have been declared by any public judgment, act, or instrument, or any resolution of parliament whatsoever, to be the subject matter of his Majesty's prerogative, nor have they ever been understood as belonging to his ordinary administration, or to be annexed or united to his crown: but that they are acquisitions of a new and peculiar description unknown to the ancient executive constitution of this country," and there is much more to the same extent, even to the insinuation that the Company are a fourth power in the constitution.

In the note to this passage it is stated, that in the East-Indies the territorial possessions (of Bengal, Bahar, and Orissa) were acquired to the Company, in virtue of grants from the great Mogul, in the nature of offices and jurisdictions to be held under him, and dependent upon his crown, with the express condition of being obedient to orders from his court, and of paying an annual tribute to his treasury. It is true that no obedience is yielded to these orders, and for some time past there has been no payment of tribute: but it is under a grant so conditioned that they still hold.

I need not enter into the difficulties which both in England and in India were supposed to affect the question of the sovereignty of those provinces, for the Bombay territory has been acquired under totally different circumstances. As for the town and island of Bombay, its natives, ever since the annexation of them to the crown of England, have been declared, and must be considered to have been, the natural born subjects of the crown of England. They are declared to be so in the charter of Charles the Second in 1669, and there can be no doubt that they have been long entitled to all the privileges of freeborn Englishmen, which their allegiance to the crown of England could confer on them. The Deccan (which is the only part of the territory subject to the Bombay government which we need consider on the present occasion), was acquired by conquest. I stated on a former occasion, that the government actually existing there, although at first established only by virtue of the discretionary power exercised by the supreme government in Bengal (a power, which every person making distinct conquests for the benefit of the crown is necessarily invested with), must be considered a government both *de jure* and *de facto* of those territories. It has not yet received a parliamentary sanction, but it must be presumed to have received the sanction of the King's ministers. But however that may

may be, the Deccan is a conquest obtained by the arms of British subjects, and although, in a subordinate way, it is subject to the Company, its inhabitants have ever since the period of its occupation by the English authorities become the subjects of a mixed and limited monarchy; they are all the subjects of the King, and those born since 1817 are natural born subjects. They are consequently, as far as it is consistent with local laws and usages, entitled to all the benefits in respect of personal and civil liberty, which the King's prerogative can afford them.

In the course of these observations, I have not made any distinction between civil constitutional liberty and personal liberty, as between subject and subject. I thought it would weaken their effect to do so. But I may here observe that in fact the one implies the other, and the law has always applied the same remedy in both cases, as being *ejusdem generis*; nor can it be supposed that our ancestors, who have placed civil constitutional liberty upon so impregnable a basis against the encroachments of the crown, could have intended to leave personal liberty, as between subject and subject, unguarded and insecure. But having to their immortal honour secured the first, they reasoned rightly, that there was no necessity to be solicitous about the other.

Let us now view the subject in a more technical point of view.

The first book which I shall cite to shew the legal remedies the law has provided for the vindication of personal liberty is Lord Coke's reading on *Magna Charta*, 2 Inst. 55: "now it may be demanded," he says, "if a man be taken or committed *contra legem terræ* against the law of the land, what remedy hath the party grieved? To this it is answered; first, that every Act of Parliament made against any injury, mischief, or grievance, doth either expressly or impliedly give a remedy to the party wronged or grieved, as in many chapters of this great charter appeareth. Therefore he may have an action for false imprisonment on this great charter; 2d. he may proceed by indictment; 3d. he may have *habeas corpus* out of the K. B. or Chancery without privilege, or in C. B. or Exchequer for any officer or privileged person there."

So Blackstone, in his 3d Comm. p. 130, "but the great and efficacious writ which the law of England has provided for the removal of the injury of false imprisonment, is that of the writ of *habeas corpus ad subjiciendum* directed to the person detaining another, and commanding him to produce the body of the prisoner with the day and cause of his caption and detention *ad faciendum subjiciendum et recipiendum* to do, submit to, and to receive whatsoever the judge or court awarding such writ

shall consider in that behalf." "This," he continues, "is a high prerogative writ, and therefore, by the common law, issuing out of the K. B., not only in term time but in vacation, by a *fiat* from the chief justice or any of the judges, and running into all parts of the King's dominions: for the King is at all times entitled to have an account why the liberty of any of his subjects is restrained, whenever that restraint may be inflicted." The same terms nearly are applied to it by Lord Hale in his history of the C. Law 195, and by Lord Eldon in *Crowly's case*, 2 Swanst. 48. "The doctrine" says Lord Eldon "originates in the maxim of law, that the writ of *habeas corpus* is a very high prerogative writ, by which the King has a right to inquire into the causes for which any of his subjects are deprived of their liberty, a liberty most especially regarded and protected by the common law of this country."

As much of my subsequent argument depends on the term "prerogative writ," it will be necessary to acquire distinct notions of the difference between such writs and others.

The best general notion in the outset, although not quite accurate, may be deduced from C. J. Wilmot's answers to the questions put to the judges by the H. of Lords in 1758, upon the second reading of a bill (which was afterwards rejected), entitled an act for giving a more speedy remedy to the subject upon the writ of *habeas corpus*. In answer to the 1st q. C. J. Wilmot says: "I am of opinion, that in cases not within the 31. Car. II. they ought not to issue of course verified by affidavit." "Such a writ, however," he adds, "is as much a writ of right as a writ of course." "There is no such thing," he continues, "as writs of grace and favour of the judges; they are all writs of right but not all writs of course. Writs of course are those writs which lie between party and party for the commencement of civil suits, and if they are sued out without a good foundation, the common law punishes the plaintiff for suing out the writ vexatiously by amercing him *pro falso clamore suo*, and by the statute law he is to pay the costs of suit. But the writ of *habeas corpus* is not the commencement of a civil suit, where the party proceeds at the peril of his costs if his complaint is a groundless one. It is a remedial mandatory writ by which the King's supreme court of justice (K. B.) and the judges of that court, at the instance of a subject aggrieved, command the production of that subject and inquire after the cause of his imprisonment. And it is a writ of such a sovereign and transcendent authority, that no privilege of person or place can stand against it. It runs at the common law to all dominions held of the crown. It is accommodated to all persons

persons and places. And as all these mandatory writs (of which there are several, as prohibition, *mandamus, certiorari*, &c.) were originally rather at the suit of the King than the subject, the King's court would not suffer them to issue upon a mere suggestion, but upon some proof of a wrong and injury done to the subject."

The most remarkable early case in support of part of C. J. Wilmot's position is Brown's case in Cro. Jac. 543, which was the case of a resistance to the writ of *habeas corpus* by the Warden of the Cinque Ports, on the ground of privilege. I cite it chiefly for the nervous and strong language used by Montague C. J. and approved by the court. "The privilege," he says, "of the Cinque Ports that the King's writ runs not there, is to be intended between party and party. But no such privilege can be against the King. And this writ is a prerogative writ, which concerns the King's justice to be administered to his subjects: for the King ought to have an account why any of his subjects are imprisoned, and it is agreeable to all persons and places, and no answer can satisfy it except the return *cum causa* with *paratum habeo corpus*, &c. And this writ hath been awarded out of this court to Calais and all other places within the kingdom, and to dispute it is not to dispute the jurisdiction but the power of the King and his court, which is not to be disputed." And of this opinion were all the other justices, and an *alias habeas corpus* was awarded with a great penalty, returnable another day.

It appears, however, necessary to go further; although the law is well laid down, and the expression "high prerogative writ" is intelligible to lawyers, yet it does not present to the mind *vi termini* the reasonableness of the distinction which the word implies. But I think all doubt will be removed from our minds by referring to the celebrated case of the *post nati* or Calvin's case. And the explanation thence deduced exactly coincides with the opinion I have expressed in a former part of this judgment, as to the origin of those rights which an individual acquires by becoming a subject of the crown of England, or within the King's allegiance. In Calvin's case, 7 ca. 20 a. (of which Lord Coke is the only reporter,) after explaining the nature of the foreign dominions of the crown, the judges are said to have made the following distinctions between those writs which run into all the King's dominions, and against which there is no exemption of privilege or place, and ordinary writs: it is to be understood, says the report, there are two kinds of writ, *Brevia mandatoria et remediaria, et brevia mandatoria et irremediaria*. *Brevia mandatoria et remediaria*, as writs of right,

of *formedon*, &c. of debt, trespass, &c. and shortly all writs, real and personal, whereby the party wronged is to recover somewhat, and to be remedied for that wrong which was offered him, are returnable or determinable in some court of justice within England. And these cannot by any means extend into any other kingdom, country, or nation, though it be under the King's actual legiance and obedience. But the other kind of writs that are mandatory and not remedial, are not tied to any place, but do follow subjection and legiance in whatever country soever the subject is. They then give an instance which goes much further than our present question requires; as the King's writ to command any of his subjects residing in any foreign country to return into any of the King's own dominions *sub fide et ligeantia quibus nobis tenemini*. Mandatory writs of all kinds, or, as they are called, high prerogative writs, although now used for the benefit of the subject, may all be considered in this sense irremedial in their nature, and they might all, if necessary, be shewn to have derived their only authority from the King's prerogative, and have no reference to the jurisdiction of the court in suits and actions between party and party. The K. B. was originally intrusted with the power of issuing them, because it was always considered the King's supreme court of justice for the exercise of his prerogative.

The writ of *habeas corpus ad subjiciendum*, in consequence of the great stress laid upon the liberty of the subject in all ages by our ancestors, has acquired a pre-eminence above all the other prerogative writs. But it is clearly of the same nature, and in order to acquire a clear notion of its nature it is necessary to bear in mind that the power of issuing it has no relation to the jurisdiction of the court of K. B. to hear and determine suits and actions, nor is it incidental to the jurisdiction of any court in this respect. In its origin it is issued by force of the king's prerogative, and although it is highly remedial as far as the personal liberty of the subject is concerned, it is irremedial in the sense in which Lord Coke uses the term, because the party injured recovers no compensation for injury inflicted upon him, but must bring his action for false imprisonment if he wishes to be so compensated.

The next remarkable circumstance respecting it, is the now universally received opinion, that not only the court of K. B. but its judges, have severally and respectively the power at common law to issue this writ. I will not at present advert to the power of the Lord Chancellor and the other courts of Westminster Hall to issue it.

On this part of the subject Lord Eldon's observations

observations in Crowley's case (2 Swanst. 62) on part of C. J. Wilmot's opinion are important. He says, "great difference of opinion existed among the judges on this point. But they agree in the opinion that a judge of the K. B. might then issue a writ of *habeas corpus* in vacation by *fiat*, and they rest that right on great principles, but very little practice. For they cannot trace the practice beyond the Restoration, except in one or two cases. But how does Lord C. J. Wilmot, as a great lawyer, conclude on this subject? He says that the practice since the Restoration he shall receive as evidence of preceding usage, but he adds, that if the commencement of the usage can be shewn, that argument is not applicable, and the legality of the usage must be supported, not by presumption but by some other principle, and he refers to the principle that when the reason is the same the law is the same, and he would not hear it said that the court of K. B. had the power to grant the writ in term time, and that the subject shall, during the vacation, be deprived of his right to the writ, and he could have it only if the judges possess the right to grant it. The chief justice also argues from the powers of justices of the peace, and it is to be recollected that the judges of the K. B. are all justices of the peace, which the judges of the other courts are not.

Upon this extract from Lord Eldon's judgment in Crowley's case one or two observations suggest themselves. The first relates to the paucity of precedents to be found before the Restoration. It is matter of surprise that the great men who have treated so ably this question, have not adverted to the state of the country previous to the accession of the Stuarts. The constitution was but imperfectly settled under the Tudors. The people had acquired no weight, and the aristocracy had dwindled in numbers to such a degree, that in the first parliament of Henry VII. (I speak from recollection only) the number of the temporal peers amounted only to twenty-eight, nor could there be a more arbitrary race of kings than the Tudors; nor of the Tudors was there one more arbitrary than Queen Elizabeth. The star chamber, and high commission, and court martial were in their full vigour in her reign. And in suspicious times nothing more was necessary than the warrant of a secretary of state or the privy council to imprison any person suspected in gaol. The gaols were full of such unhappy victims of state jealousy, who were treated often with great severity, without their being able to obtain any remedy by law. Elizabeth never infringed, probably, any well known and established liberties of the people; but the people were far from being aware

of their just rights. In the subsequent reigns, under princes of perhaps more equity of feeling but of less ability, the ferment of liberty began to agitate the country, and proceeded in its desolating course, until out of the ruins of monarchy arose a more convenient fabric of government, which, by the care of skilful architects, has in process of time been polished and perfected into the beautiful edifice of our present happy constitution.

The second observation which suggests itself is, that the principle on which C. J. Wilmot relied in the absence of any presumption of antecedent usage is very imperfectly stated in this passage of Lord Eldon's judgment. C. J. Wilmot is merely accountable for the application of the writ of *habeas corpus* to cases of private custody. He states that he does not know when the practice of granting the writ in such cases first began, but probably it was coeval with what the court did in other cases, or soon followed it. On the principle *ubi eadem est ratio ibi idem est jus*, a writ applicable to one kind of unlawful imprisonment is in reason equally applicable to another.

The last observation which I shall make relates to the argument derived from the power of the judges of K. B. as justices of the peace. According to Lord Bacon (Use of the Law works, 4th vol.) there were no conservators of the peace by commission even in his time; but he says all the judges and the Lord Chancellor were conservators of the peace *virtute officii*. But they are not all justices of the peace, for it is quite certain none but the judges of the court of K. B. ever pretended to be so. I do not think much weight is to be placed in any argument derived from the powers of justices of the peace. But I think the circumstance of their being *ex officio* justices of the peace makes it a reasonable supposition that they had the power (not delegated from the court, but individually and separately) to issue writs of *habeas corpus in favorem libertatis*, and to make them returnable, if in vacation, before themselves. And the St. 31. Car. II., in extending this power to the other judges, I consider, not so much a new enactment, as a declaration on the part of the legislature, that the judges of the K. B. had, before that act, separately and individually that power.

In Crowley's case 2. Swanst. 1. Lord Eldon overruled Jenks' case decided by Lord Nottingham, and determined that the chancellor could issue the writ at all times upon the principle of Lord Coke 2 inst. 55, that the court of chancery is *officina justitia*, and is ever open and never adjourned, so as the subject, being wrongfully imprisoned, may have justice for the liberty of his person as well in the vacation

vacation as in term time. Perhaps it is right to mention here, that Lord Coke, in his institutes, seems to be of opinion that the court of K. B. could not issue the writ except in term time. Lord Eldon (2 Swanst. 50) has observed upon this, that he does not think that opinion well founded, although it would be extremely difficult to deny that it would have been thought well founded when Lord Coke wrote. But to return: the chancellor's power arises from the common law side of the court (which some have thought was all one with the K. B.). We clearly have no such jurisdiction; but the reason for which I state his power of issuing the writ is, to shew that a court or a judge may have this power without having the power of ultimately trying the matter for which a prisoner is committed. The Lord Chancellor, although he cannot try criminal matter, may issue the writ in such cases, and when the cause is returned, Lord Hale (2 P. C. 147) points out the mode in which he should proceed. The chancellor may judge of the sufficiency or insufficiency of the return, and may discharge or bail the prisoner, or appear in the K. B., or may *proprio manibus* deliver the record into the K. B. together with the body, and thereupon the K. B. may proceed to bail, discharge, or commit the prisoner. The same remark applies to the court of C. B. before the 31 Car. II. and its having no power at common law, strictly speaking, to issue the writ, strongly confirms the distinction between a jurisdiction to try suits and actions, and the power of issuing the prerogative process of the crown.

With a view to the general principle insisted upon by Lord Eldon, that with respect to the liberty of the subject, it is the duty of our courts to struggle to secure it, it may be important to mention his approbation of the conduct of the courts of C. B. in assuming this jurisdiction. It is in his observations in Wood's case 1770, reported 2 Blackst. 745, and 3 Wilson 172. He says, "even at this late period considerable doubt existed whether the court of C. B., though it had acquired power in certain cases by the St. 16, Case I., could issue the writ in criminal cases. I think the judges of that court decided properly that they could issue it. They however discouraged such applications, for this reason, that the party who was to have the benefit of the writ, was placed in a situation as distressing as if application had been made to the court of chancery: provided, I mean, that the warrant appeared good, but stated a bailable offence; for the court of C. B. could not try him, and therefore there was a convenience in applying to the court of K. B. Chief Justice De Grey," he observes, "refers to

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Bushell's case, in which it is laid down as a great principle, that if a subject of the King is brought from prison before one of the King's superior courts, and it appears that the imprisonment is unlawful, the court cannot *subpo jramento suo* remand him to that unjust imprisonment; in other words cannot refuse to discharge him." Lord Eldon thus continues his remarks: "Blackstone in his judgment has given something of a satisfactory account of the course in which the court of C. B. acquired the general power of issuing the writ." He thought "that originally at common law the writ could be issued only in case of privilege, or to charge the party with a suit. But afterwards in *favorem libertatis* a mere suggestion of privilege was sufficient to grant the writ, and a *capias* was afterwards sued, out of conformity, to affirm the jurisdiction. 2 Hale P. C. 144. When the St. 16 Car. I. put both courts on the same footing with regard to the cases then mentioned, this nicety began to be disregarded, and the cases cited by Lord C. J. De Grey in Charles the 2d's time, have established the general jurisdiction beyond a doubt. Wood's case 2 B. C. 746. Then," Lord Eldon concludes, "see in what manner, according to this statement, the judges argued in order to support their power of granting writs of *habeas corpus*; and how they dealt with the subject, first at common law, and then after the Stat. 16 Car. I.; originally, for the purpose of enabling them to give effect to the right which the subject had to his liberty, when by the circumstances of the commitment he had that right, they admitted the fiction or suggestion of privilege in order to obtain jurisdiction, and they drop that fiction after the 16 Car. I. Now that statute gave them no jurisdiction except in the instances there specified; but from what they are to do in those instances, they have inferred, upon the words I am about to mention, that they had it in all cases. A remarkable example of the strength of the principle which our law has in it, that with respect to the liberty of the subject the courts are to struggle to secure it; for that statute says, that in the particular cases therein mentioned, the subject, for obtaining his liberty, shall without delay have a writ of *habeas corpus* for the ordinary fees usually paid for the same. On this clause the judges of that time have argued that there must have been usual fees payable in the Common Pleas on the issuing of the writ of *habeas corpus*; and therefore, though the state has not conferred on them general power, which they had not before, yet, because it has directed them to exercise the power in these particular cases and in these times, they conclude that it was the opinion of the legislature that they had it in all cases."

3 8 I have



I have thus at great length, but not unnecessarily, examined the state of the law of England on the present question. A short summary of the whole may be comprized in a few words. The writ of *habeas corpus ad subjiciendum* is in its original nature a prerogative process issuable only at the instance of the king, to ascertain the cause of the imprisonment of any of his subjects in any part of his dominions, without any view of affording any compensation to the subject for unlawful imprisonment against the party imprisoning him. It is founded upon the simple principle, that all those who are in subjection and owe allegiance to the crown have a right to the amplest protection which the power of the crown can afford them. That the writ is issuable by the court and the judges of the K.B. at all times, because the K. B. is the supreme court of justice of the King with relation to such matters; but that the power of doing so has no relation to nor dependance on its jurisdiction as a court of judicature to try suits and actions. That in favour of liberty the writ is also issuable from the common law side of the Court of Chancery, and out of the C.B., and that even in cases of commitment for criminal matters over which those courts have no jurisdiction, nor can the principle of our law, which Lord Eldon mentions with so much approbation, be omitted, that it is the duty of the King's courts, in all cases which concern the liberty of the subject, to struggle to secure it, because it is a liberty most especially regarded and protected by the common law of this country.

We have now arrived at that part of the subject which, when I first came to the consideration of it, appeared to present the most difficulty. But in the progress of a very painful and laborious examination of the principles of the law of England regarding the liberty of the subject, it has been satisfactory to my mind to find, that instead of that examination increasing any perplexity which I might have felt in my prior view of the provisions of our charter, the legal learning which the various cases which I have cited contain have thrown so much light upon the question, that I not only find no difficulty in giving to the different parts of the charter a consistent meaning, but the conclusion to which I have arrived on the present subject is so clearly established, that I feel no doubt or hesitation about it.

The whole question, in fact, in consequence of the principles which I have stated in the former parts of this judgment, is reduced into a very narrow compass.

The first obvious conclusion which the preceding remarks induce my mind to come to upon the charter is the meaning of the word "jurisdiction," in that part

of it where the jurisdiction of the court is said to be defined. The proper and only meaning which I can affix to it is the jurisdiction which the court may exercise in the trial of suits and actions, and which is the ordinary meaning in which the term is used when applied to all courts of justice. It is the power and authority which they have within the local limits in which the laws they profess to administer prevail, to determine the rights of parties in adverse suits according to those laws, and to award compensation in damages for any wrong or injury which has been committed by one party against another. This is the jurisdiction alluded to in the judgment of the Patna cause, and the distinction there taken between the way of taking advantage of any exemption from jurisdiction in England and in India is perfectly correct, and is that on which the court itself uniformly proceeds. The meaning of the word "jurisdiction" being once established in this limited ordinary sense, according to the subject matter of those clauses to which it refers, it obviously follows that we can give no other more extended meaning to it when considering the effect of those or any other clauses. I am clearly, therefore, of opinion, that none of those clauses in which the jurisdiction of the courts is said to be defined, can give the court power to do any thing further than the court of K. B. can do in its ordinary jurisdiction, *i. e.* to try suits and actions, and to issue such other process as the common or statute law enables them, as a simple court of justice, to do. It cannot give us therefore any power to issue the prerogative process of the Crown in any shape, much less either collectively or individually to grant the writ of *habeas corpus ad subjiciendum*. And this view of the subject is strongly confirmed by the manner in which our power of issuing writs of *certiorari*, *mandamus*, and *procedendo*, within the limits of our ordinary jurisdiction, has been conferred on us. If the prerogative process of the crown had been in any way an incident of our power to try suits and actions, no more mention would have been made of them, but it must have occurred to those who framed the charter, that such was not the consequence, and therefore they have given us the power of issuing these writs of *certiorari*, *mandamus*, and *procedendo*, by a separate and independent clause.

If such be the right interpretation, we must see upon what principle the writ of *habeas corpus* can be granted in any case. Nor do I find that, as English judges, and therefore bound to struggle to secure the liberty of the subject, we can have much difficulty respecting it. We are not driven, in my mind, to the slightest necessity to make those encroachments,

encroachments, which the courts of England, without attending much to logical reasoning, have made in favour of liberty. The clause of the charter, which constitutes us individually and separately justices of the peace throughout all territories subject to this presidency, and which gives to us all the authority which the judges of the Court of King's Bench have within the limits of England, appears to me to be scarcely capable of any other meaning, than that we should have the same power as they have in England, of watching over and securing the liberty of the subject in the territories under the government of this presidency. Nor is it a strained inference to make, that the power which we may exercise individually and separately we may also exercise collectively. This clause, therefore, essentially confers upon us the power of issuing writs of *habeas corpus*, and it appears to me that if it is a power given for the most beneficial purposes, and is unlimited both as to place and person within the territories subject to the Bombay government. It is clear that the power of issuing the prerogative writs of the crown stands upon a totally different foundation from that on which the jurisdiction of the court, as an ordinary court of justice, rests. They are totally different things, and therefore any subsequent clauses of the charter, in which at first sight the power of the court may appear to be restrained to certain places and persons, can have no effect in limiting this power, which I conceive is given us by the clause I am now considering of issuing writs of *habeas corpus*: for this simple reason, because they relate to a totally different subject matter. Having gravely and conscientiously arrived at the conclusion, that, as the judges of the King's supreme court of judicature at this presidency, we are endowed with the amplest power to protect and secure the personal liberty of the subject through all the territories under the government of Bombay, I must add that I should have deeply regretted the necessity of coming to any other conclusion. For the space of nearly 160 years the natives of Bombay have been, to all intents and purposes, the natural born subjects of the crown of England, and have in that quality been entitled to all the benefits of protection for their personal liberty, which the most genuine Englishman could have obtained. In all cases, however, in which they might wish to avail themselves of the writ of *habeas corpus* from the King's Bench in England, the proceeding must be dilatory and inconvenient, and attended with expenses and consequences, which might make the remedy perhaps worse than the disease. And as regards the most numerous part of the population, the Hindoos, the cir-

cumstance of their religious prejudices would, in most instances, render the notion of applying to the authorities in England most absurd and nugatory. They would have the name of freemen, but in every case they would want the most essential protection for their liberty, if unlawfully invaded, which the law of England has provided. And the same remarks apply to all the native inhabitants of these distant possessions of the crown of England. Then, is it possible to conceive, under all these circumstances, that it could have been the intention of the legislature to give us every power of the Court of King's Bench within these limits without this most essential one, even to the administration of common justice, of securing and protecting the personal and civil liberty of the native subjects of Great Britain within these territories. Those who framed these charters could not have been unaware of the distinctions which I have stated, and the internal evidence of the charter itself appears to me to prove that they knew them well. If they were so fully aware of the precise effect of the various clauses of this charter, they could never have meant to have precluded the court from issuing the writ of *habeas corpus*, at least in those cases which were clearly within the jurisdiction of the court as a court of ordinary judicature, and if they had chosen so to do, they might, by a few words, have removed all difficulty on the subject, by restraining one power in that respect in the same terms that the jurisdiction of the court is defined as to suits and actions. Not having done so, what are we to infer, but, that having constituted us justices of the peace, without limitation of time or place, with the same power as the judges of the King's Bench in England, they did not think it of any dangerous consequence that our power of issuing this high prerogative writ should be co-extensive with our office of justice of the peace.

I am perfectly aware that the power of arbitrary imprisonment has existed, and in India still exists, and the exercise of that power is justified on the ground of state necessity. I am not aware that there are any state prisoners in the Bombay territory: such cases, however, may occur, and when they do so, the court will pay a proper deference to such occasional state necessity. But the present case involves no such difficulty, and the principle which we are now considering is of the most general nature. That principle I can, with the greatest satisfaction to my own mind, say, appears to me to be established beyond question; and it is of essential importance to the natives of India, for it secures to them the reality of those privileges which, without it,

it, they could be said to possess only in name. I am therefore of opinion that an *alias habeas corpus* should issue, returnable 10th of October.

(The extreme length of Mr. Justice Grant's judgment obliges us to defer it till next month).

October 6.

At the opening of the court this day, Sir Charles Chambers stated that he had received a letter addressed to himself and Mr. Justice Grant, as component members of the court, from the Governor and the members in council, relative to proceedings pending in this court. A similar letter had been sent by the Government of Bengal to the Supreme Court at Calcutta, in the case of "*Rex v. Fowke and others*," reported in the *State Trials*, vol. 20. He should follow the precedent in that case, of desiring the clerk of the crown to read the letter aloud.

The letter was then read, and was to the following purport and effect :

To the Honourable Sir C. II. Chambers, Knight, Acting Chief Justice, and the Honourable Sir J. P. Grant, Knight, Puisne Justice, of the Honourable the Supreme Court of Judicature.

Honourable Sirs : We are quite aware, that we transgress upon ordinary forms in addressing this letter to you ; but the circumstances under which we are placed, will, we trust, justify this departure from usage, and our knowledge of your private and public character, leads us to hope, that what we state will be received in that spirit in which it is written ; and that, notwithstanding your strict obligations to fulfil every part of your high and sacred duty as British judges, you will on this extraordinary occasion deem yourselves at liberty to consider as much the objects as the rules of that court over which you preside, and, viewing the intention of the legislature in its institution, as directed to the aid and support of the government and the administration of this country, you will for a short period suspend your representations to us from any acts (however legal you may deem them) which under the measures we have felt ourselves compelled to take, and which we deem essential to the interests committed to our charge, must have the effect of producing open collision between our authority and yours, and by doing so, not only diminish that respect in the native population of this country which is so essential to both to maintain, but seriously weaken, by a supposed division in our internal rule, those impressions on the minds of our native subjects, the existence of which is indispensable to the peace, prosperity, and permanence of the Indian empire. This conclusion refers to a variety of circumstances which we are

equally forbid from explaining, as you are from attending to such explanation ; but we deem it necessary to state our conviction of the truth of what we have asserted, expecting that it may have some weight with you, as connected with the preservation of that strength in the government which in all our territories, but particularly those we have so recently acquired, is the chief, if not the only power, we possess for maintaining that general peace, on the continuance of which, the means of good rule, and of administering law under any form, must always depend.

In consequence of recent proceedings in the Supreme Court in the case of Moro Ragonath and Bappoo Gunness, we have felt compelled, for reasons which we have fully stated to our superiors, to direct that no further legal proceedings be admitted in the case of Moro Ragonath, and that no returns be made to any writs of *habeas corpus* of a similar nature to those recently issued, and directed to any officers of the provincial courts, or to any of our native subjects not residing on the island of Bombay.

We are quite sensible of the deep responsibility we incur by these measures, but must look for our justification in the necessity of our situation. The grounds upon which we act have exclusive reference to considerations of civil government and of state policy ; but, as our resolution cannot be altered until we receive the commands of those high authorities to which we are subject, we inform you of them, and we do most anxiously hope that the considerations we have before stated may lead you to limit yourselves to those protests and appeals against our conduct in the cases specified that you may deem it your duty to make, as any other conduct must, for reasons already stated, prove deeply injurious to the public interests, and can, under the resolution taken and avowed by government, produce no result favourable either to the immediate or future establishment of the extended jurisdiction you have claimed.

A very short period will elapse before an answer is received to the full and urgent reference we have made upon this subject ; and we must again express our hope, that even the obligations under which we are sensible you act, are not so imperative as to impel you to proceedings which the government has thus explicitly stated its resolution to oppose. We have the honour to be, hon. sirs, your most obedient servants,

(Signed) JOHN MALCOLM,  
T. BRADFORD, Lt. Gen.,  
J. J. SPARROW,  
JOHN ROMER.

Bombay Castle, Oct. 3, 1838.

After the foregoing letter had been publicly read by an officer of the court,  
Sir

*Sir Charles Chambers* addressed it in the following terms:

"As I am anxious on this most extraordinary occasion to exhibit both in my words and in manners as much sobriety and moderation as is consistent with the respect I feel is due to myself, and to the authority I have the honour to represent, I have reduced what I wish to say to writing. The whole, indeed, of this extraordinary letter is written in so dictatorial a tone, that, addressed as it is to the King's Supreme Court of Judicature by persons who have no right to address the court in any way except as humble suitors for the distribution of its justice, I have naturally felt much since I received it. Feeling it, however, to be my duty to banish every thing like temper from my observations this day, I shall proceed to make such remarks as I think are peremptorily necessary for the vindication of the rights and dignity of the court.

"First, then—Although this letter is not signed by the chief secretary to the government, in the usual way of addressing official communications to the court, yet, as it is signed by the members of the government, and relates to the public business now pending in the court, it is impossible to consider the communication in any other light than as a public document; and, however regular it may be for any person to address the court upon such subjects by letter, yet in the case of a document purporting to be of a public nature, it is neither safe, nor consistent with the dignity of the court, to take any other than public notice of it from the bench, nor to reply to it, if reply should be deemed necessary, through the proper officer of the court.

"Next—From whatever persons this letter comes, we cannot admit any person, let his rank be ever so distinguished, or his power ever so predominant, to address this court in any other way respecting its judicial and public functions, than the humblest suitor who applies for its protection. Within these walls we own no equal, and no superior, but God and the King. The East-India Company, therefore, and all those who govern their possessions, however absolute, over those whom they consider their subjects, must be told, as they have been told ten thousand times before, that in this court they are entitled to no precedence or favour, more than the lowest suitor in it; and, although in matters which do not concern the administration of justice, we are willing to pay the members of government the respect and courtesy due to them, in matters which are of vital importance to our existence as a court of justice, and in the exposition of the law, all persons that enter this court are upon a footing of strict and rigid equality. The only mode, there-

fore, in which the writers of this letter could properly address the court (I am now considering the manner only), is through their counsel, or by way of humble petition.

"Thirdly. If, therefore, the only point at issue between the court and the writers of this letter were the manner of addressing the court, it would suffice to direct the clerk of the crown to intimate our opinion upon that point to the chief secretary, for the information of the Hon. the Governor in Council. But, since it is our serious conviction that the now sending such a letter to the judges of this court, containing matter of so extraordinary a nature, and couched in language no less extraordinary, is an act both highly unconstitutional and criminal, we have thought it right to impound it in the hands of the clerk of the crown, in order to ground ulterior proceedings upon it, if any such should be necessary.

"I shall not make any comment on the present occasion, upon the discretion, magnanimity, or the sense of decency, of those who venture to address such a letter to us. But there is one feature which pervades the whole, as far as it is intelligible, which has created in my mind the most unfeigned astonishment. It is the supposition, that our sacred obligation to distribute justice according to our consciences, to which we are bound by oath, has been deemed capable of being bent to the maxims of state policy. A diplomatic, temporizing judge, has, in all ages, been the object of the reprobation of mankind; nor, where he exists, can there be a greater curse upon the community. We are bound by the oaths we take in entering upon our office, to set aside all considerations of expediency and policy, and rigidly and uprightly to decide according to that rule which we know to be the right one; and the rigid adherence to such well-known general rules, which, as long as they are so observed, may be called laws, is the only way in which my unsophisticated understanding can satisfy my conscience that I am keeping the sacred duty of my office. Then, what kind of law would that be which would bend on all occasions to what the writers of this letter call state policy, the circumstances, by-the-by, of which, in the present instance, they studiously conceal? And what name should we deserve in the eyes of the public and mankind, if we should admit the principle, that, whenever these gentlemen shall presume to state to us the existence of a state necessity, whether they put us in the possession of the grounds of it or not, the King's Supreme Court of Justice, stationed in this presidency to keep a watchful eye over their proceedings, should succumb and forfeit the only things for which life, in a public point of view, is valuable, their hard-earned reputation,

tation, and their dearly-prized honour, and violate the most sacred obligation they owe to God, the King, and themselves. There is only one mode in which these gentlemen can relieve us from these serious consequences, and that is by the intervention of parliament. If they will discharge us by legitimate means from any part of our invidious duties, they shall have our best thanks for so doing.

"I should not make any further observations on this letter, if it were not that, in collisions of this nature, it is not for us to permit any opportunity to pass over of explaining, in as popular and intelligible a manner as we can, the technical process of the court, especially when from misinformation, if not from total ignorance, there is a mischievous tendency without to create unnecessary alarm.

"The letter which has been read to-day refers to two cases. The one relating to Moro Ragonath is still pending, and it remains to be seen how the ill-advised menaces of this letter are to be carried into effect. I consider it a case of no public importance nor of any political consequence (as every well-informed lawyer might readily discover), any further than the contumacy of the person to whom the writ is directed, and the ill-judged impetuosity of his advisers, may make it of importance. There are no circumstances of state policy affecting it; and nothing but erroneous notions instilled into the mind of a native by those who ought to act a better part, could induce him to think the court's verdict in the least degree inconvenient. I have said on another question that it is my opinion, that, even if our power of issuing the writ should be of the most extensive nature, there would be few calls for its exercise, and when the proper occasion arises, I shall explain fully the ground of that opinion.

"The other case of Bappoo Gunness is much more important: because the course which the government intimate that by their authority their officers are to pursue (an authority which, being clearly illegal, they are by law bound to disregard), overturns the long-established practice of all the courts in India, and strikes at the root of all right and justice. The short facts in Bappoo Gunness's case are, that, on the 10th of September last, the court was moved for a writ of *habeas corpus* in his favour, directed to the gaoler of Tannah, upon an affidavit that the warrant of commitment had been denied him; and, that being at all times sufficient cause, the court awarded the writ returnable on the 19th inst. at ten o'clock. On the 22d, Mr. Morley moved for a return; but, the body not being ready, the court would not permit the return to be read, but issued an attachment, and directed it to be in the office till the 25th. On that day, on the

motion of the Advocate-general, the attachment was set aside, with costs; and, the body being in court, the return was read.

"This return the court considered insufficient, inasmuch as it neither contained any averment that the Adawlut Court of the zillah of the Northern Concan was a court of competent jurisdiction to try the offence stated in the warrant of commitment, nor did it show that it was empowered to pass the sentence there set forth. This is clear law, not only according to the case of *Rex v. Lind* (11 East, 306), but also numerous precedents in this and the other presidencies. The law being a serious one, and the court being anxious to support the return, gave time to amend, till the 30th. On the 30th, the Advocate-general intimated that no amendment had been made; and, although he did not wish to bind his honourable employers by his declarations, he intimated that it was their intention not to permit the authority of their courts to be questioned, an intimation sufficiently indecent and disrespectful, coming most undoubtedly from the government, but which dwindles into insignificance compared with the outrage of this day. In consequence of the return being insufficient, the prisoner was discharged. And, if a hundred cases were to come before the court under the same circumstances, I should feel no compunction in deciding in the same way; but a heavy weight of responsibility rests upon those who, under the pretext of civil government and state policy, are only anxious to extinguish the King's authority in this presidency, and to screen their servants from the only authority which has yet been found effectual to check the tendency which power, without responsibility, has always towards oppression and misrule.

"In this case the warrant of commitment was most unnecessarily denied the prisoner: had that warrant of commitment been produced, no judge of this court would have considered it consistent with his duty to the public to have produced this writ, and every thing might have been intended in support of it. Whether the warrant was vexatiously withheld or not, I cannot say; but assured I am that under any circumstances it is an unwise course to pursue, for the return is a very different thing in such cases: it is clearly within our jurisdiction to entertain an action for a false sentence, it is of the utmost importance to state the averments truly. From what cause the government presumed to direct its officer to insult the court by disobeying its injunctions, and spurning its courtesy, I cannot say. If it be from the impossibility of acting aside the authority of these courts, I can only say; that that evil ought with all expedition

tion to be remedied by parliament; but, since no attempt has been made to comply with the law, that difficulty cannot be presumed, nor does it accord with my opinion; and we are driven to the painful necessity of concluding that this conduct was but the commencement of the grossly improper conduct which the letter consummated.

“With regard to this court at Tannah, let me say a few words. The conduct of the government compels me to this line of conduct.

[Read the notes of the case against James Williams, evidence of Mr. Baillie.]

“So that from the evidence of Mr. Baillie, who has arrived at that rank in the service that he is the next candidate for a seat in the Sudder Adawlut, given with a simplicity scarcely less remarkable than his carelessness of public opinion, we learn that Mr. Williams (in the commission of the peace), after falsely imprisoning the plaintiff, sends him with a letter to the judge at Tannah, stating that the plaintiff laboured under great suspicion, and requesting he may be imprisoned till a case can be made out against him. Mr. Baillie, without seeing the plaintiff (even so far as to know him again), upon receipt of this letter, desired by word of mouth the Nazer to confine the man in gaol. A few days after, another letter comes from Mr. Williams, stating that the deficiency in the collectors’ treasury had been paid by another person implicated, and requesting his discharge; in this letter he states he does not wish to injure the plaintiff; but had he any desire to make him reparation for a groundless imprisonment? And in conclusion he requests Mr. Baillie to return him his first epistle, and Mr. Baillie states with candour and fairness enough, that they each destroyed every vestige of documentary evidence relating to the subject. Time will not allow me to point out the monstrous enormity of this case, and I leave it, therefore, to the judgment of the public.\*

\* To the Editor of the *Bombay Courier*.

Tannah, 1th October 1828.

Sir: I have to request you will give insertion in your next paper to the accompanying statement, in explanation of that part of the address of Sir Chas. Chambers to court on the 6th inst., alluding to the case in the Supreme Court against John Williams, and the evidence of Mr. Baillie.

The plaintiff had been absent at Bombay, and returned on the 26th September to Tannah; during that day, and until late in the evening, I was occupied in the investigation of the case. In the evening I placed the plaintiff under the surveillance of two peons. This I believe to have been irregular, and has been termed false imprisonment; but it was done with no harsh intention towards the plaintiff. The next morning, the 28th September, I forwarded the plaintiff officially to the court on a charge of having stolen the sum of rupees from the public treasury, and stated that

“The next case was an application before this court for an *habeas corpus*, and it was granted returnable before me in chambers. This was also granted for want of a warrant of commitment. In this case, the body was not ready on the day of the return, and I issued an attachment: that being removed, it appeared by the return of the gaoler that the prisoner had been committed by word of mouth, and, no cause of detention being shown, I discharged the prisoner. But in this case Mr. Advocate-general proposed reading two affidavits by Mr. Baillie, and Mr. Simson the collector, after the prisoner was concerned in mesne process in a civil action for a debt, and was committed verbally, so that the poor native, whose confinement was of no importance except to his creditors, might have lingered in gaol without the power of procuring bail, or of escaping, except by the intervention of this court.

“I leave these facts before the public. It is in the case of a court, whose proceedings have been so habitually irregular, and carelessly oppressive, that Sir John Malcolm and the other members of government come forward by menaces which imply nothing but violence, to suspend the well-known and well-established jurisdiction of this court. I have but one course to pursue: private ease and comfort has never been of any consideration with me; but, as in the moral conduct of public men it may be laid down as a golden rule that nothing can be given in exchange for an honourable reputation, the public shall always find me at my post; and, although I cannot agree with those whose strongest reasons consist in physical force, I will resist with the utmost of my abilities any attempt to dictate to my conscience, or to control my public functions.”

Sir John Grant then addressed the court as follows:

“I have

the evidence against the prisoner should be transmitted without delay. In the course of that day and the following morning, after a full investigation of the whole of the proceeding, I considered the evidence insufficient, although satisfied in my own mind, and am so still, of the guilt of the plaintiff. I therefore stated these circumstances to the judge, and requested to withdraw the prosecutions. The plaintiff was liberated at three p.m. next day, 27th September (and I believe the official letter returned too); so that, instead of a few days after, it was the next day. As to there having been any connivance in the destruction of the letter, I deny it. There could have been no object in its destruction; for had it remained on record and not been required in the present case, it would in all probability have slumbered through fifty charters, and up to the time of this trial I believe the jurisdiction of the Supreme Court was supposed to be confined to the island of Bombay.

I am, Sir, Your's obediently,

JOHN WILLIAMS.

"I have heard this letter read with equal attention, surprise, and regret. I would willingly abstain from making any remarks on it, and I will abstain from making many which forcibly suggest themselves. Considering, however, who the persons are that write it, who we are that are addressed, and what the matter is which it concerns, I am not sure that I perform my public duty by the abstinence I shall observe, and I am quite sure that I should not perform it, if I were to permit that letter to pass without comment.

"It is a document of a singular nature. It is a missive letter signed by the governor and the gentlemen who are members of the council. How we can receive a letter missive, I know not. But no communication made to us relative to the discharge of our judicial duty, can be considered by us as any other than a public communication. The gentlemen who sign that letter seem not to have a very clear conception of the nature of the judicial office; but it must be presumed that at least they know this.

"The style of the letter is not very clear, and the meaning is attempted, not very skilfully, to be wrapt up, I suppose for the purpose of softening it, in many words. But, stripped of such of these as are immaterial, the proposal made to us, the King's judges, in the first part of the letter, is this, that, notwithstanding our strict obligations to fulfil every part of our high and sacred duty as British judges, we will, on this extraordinary occasion, deem ourselves at liberty to abstain from any acts, however legal we may deem them, which, under the measures the gentlemen who sign the letter have felt themselves compelled to take, must have the effect of producing open collision between their authority and ours; that is, that, notwithstanding the obligation of our oaths, we will consent to refuse to administer justice according to what we deem to be law, under the threat that, if we do not consent, we must encounter a collision with their authority.

"What feelings of painful indignation the bare approaching him with such a proposal, must excite in the mind of every honourable man, I abstain from stating. But this it is necessary that I should state, in order to preserve the confidence in the King's judges of those who have occasion to resort to their tribunal, that the gentlemen who sign this letter labour under a great mistake, if they believe that there exists, with the exception of a very short, calamitous, and disgraceful period of our history—that there ever did exist—a British judge to whom such a proposal could be addressed with the least chance of success.

"In another paragraph of the letter they even venture to mention, by name, two

cases, one still depending before us, instituted on the part of individuals, who thought themselves aggrieved, for the purpose of obtaining a restitution of their private rights, those rights being no other than their personal liberty, of which it was stated they were unlawfully deprived, and in one of which cases it appeared to us, for any thing which was alleged by the defendant who confined him, though ample time was given him by a large exercise of our discretion, to correct what seemed an ignorant return, that the person was unlawfully confined, and he was accordingly set at liberty. And in the other of which cases, we have decided that no justification of the confinement has been shown, though, from the course we have adopted, an opportunity still exists of showing it, if it can be done.

"In this last-mentioned case, the writers of the letter say, that they have directed that no further proceeding be admitted, though how they are to prevent private persons from taking such legal proceedings as they may be advised, or what power exists in any part of the King's dominions to stop any legal proceedings which any of his Majesty's subjects may choose to institute in any court of competent jurisdiction, or in any court not of competent jurisdiction, except by means of other legal proceedings in a court which has jurisdiction to control such incompetent court, they have not said, nor do they seem very well to have informed themselves.

"They say that they have also directed that no returns be made to any writs of *habeas corpus* of a similar nature to those recently issued, and directed to any officers of the provincial courts, or to any of their native subjects not residing on the island of Bombay.

"Now, they do not seem to know that a writ of *habeas corpus ad subjiciendum*, that is, a writ containing the command of the King, in a matter concerning his prerogative royal, for bringing a person said to be unlawfully confined before the King's judges, that they may ascertain whether he be lawfully confined, and deal with him accordingly, is not a matter of discretion in the King's judges to grant or to refuse, but is a writ of right due to such as demand it, *ex debito justitiæ*, on sufficient cause shown, and which the King's judges are bound by their allegiance and their oaths to issue without delay, and to deliver to the applicant.

"Neither is the process that may follow on such writ, in order to force obedience to it, a matter of discrimination in the court, to direct or refuse the issuing of it, if the writ be rightly granted, but it is the right of a subject to obtain the issuing of such process; and to refuse it, is to refuse to

to administer justice, and is *denegatio justitiæ*.

"And by what means they propose to prevent persons, whom I take to be the King's subjects, and not theirs, from returning writs of *habeas corpus*, if any shall be directed to them, or to indemnify them if they do not, they have likewise omitted to declare. Meanwhile, it is the duty of this court to declare that lawful power of this sort they possess none.

"They talk in one part of their letter of protests and appeals. Protests we have no means of making, nor any reason to make, nor any person to whom to make them, but the Almighty fountain of all justice. And for appeals, these are the rights of those suitors who think themselves aggrieved by our decisions.

"They say that they are sensible of the responsibility they incur. This is for them to judge of, and not me. But I may say that I doubt exceedingly whether they are sensible of the entire responsibility they may incur. And this, at least, it is right for me to say, that, whatever responsibility they may choose to incur in their own persons, they cannot shelter others whom they may employ or control from the responsibility such persons shall incur, if they are concerned in any offer of resistance to the King's writs issued by the orders of this court. A responsibility criminal as well as civil, and which, in case of any loss of life occasioned by such resistance, will infer the guilt of murder on all those who shall have been aiding and assisting in it, or who shall have directed, counselled, or advised it."

The clerk of the crown was ordered by the court to write to the chief secretary to the government, informing him that the letter had been received, and that the judges could take no notice thereof.

October 10.

This was the day for the return of the *alias writ of habeas corpus*, issued by the Supreme Court here, on the 29th ult., to Pandurang Ramchunder, of Poonah, directed to be returned before Mr. Justice Grant in chambers. The sittings in equity having been adjourned till to-day, and Mr. Justice Grant being in court for the purpose of hearing motions in equity and on the ecclesiastical side, took this motion also on the bench. Mr. Irwin moved for the return of the writ of *habeas corpus* and put in an affidavit of service, or rather of attempt to serve it. The affidavit being read, Mr. Irwin said he understood the writ was not to be returned, and it not appearing that any person was instructed to produce such return, Mr. Irwin moved for a writ of attachment to issue against Pandurang Ramchunder for his contempt. But Mr. Justice Grant said he was sorry he could not give him this remedy, for that this was a com-

mon law writ of *habeas corpus*, and he could not issue the process of the court for contempt sitting in vacation in chambers, and all he could do for him was to issue a *pluries writ*, returned *immediati* under a heavy penalty, which he should do; and if this writ was not obeyed, Mr. Irwin might move for an attachment and to estreat the fine on the first day of term, when the attachment would issue of course. He should make the penalty 10,000 rupees, which he supposed would be sufficient. He said it had been formerly argued by Mr. Irwin, that the act 56 Geo. 3, c. 100, commonly called Serjeant Onslow's act, extending the power of the judges in vacation to deal with persons refusing obedience to writs of *habeas corpus* in cases of commitment for other than criminal, or supposed criminal matter, having been passed long before the date of his Majesty's letters-patent creating this court, and these letters patent conferring on the judges of the Supreme Court of Bombay all such jurisdiction and authority as the justices of the Court of King's Bench had, and might lawfully exercise within that part of Great Britain called England; at the time of granting the letters-patent, the powers conferred on the justices of the King's Bench by Serjeant Onslow's act, were conferred on the judges of the Supreme Court of Bombay, as part of the then power of the King's Bench. This was very ingeniously argued, but this would have exceeded the power of the king by his prerogative. The king had conferred very large and ample powers on the judges of the Supreme Court of Bombay by his letters-patent; they were the sole representatives of his royal person in this part of India, and they represented him in the exercise of his dearest, his most valuable, and his most honourable prerogative. He had without any doubt conferred on them all the jurisdiction, powers, and dignity of his Court of King's Bench in England, and by a particular and express clause, the last, in his letters-patent the king had been pleased "strictly to charge and command all governors and commanders, magistrates, and ministers, civil and military, and all other his faithful and liege subjects whosoever, in and throughout the British territories and possessions in the East-Indies, &c. that in the execution of the several powers, jurisdiction, and authorities thereby granted to them, the judges of the Supreme Court," they not only should be "aiding and assisting," but that they be "obedient in all things, as they will answer the contrary to their peril." "In witness whereof," say the letters, "we have caused these our letters to be made patent. Witness Ourselves at Westminster." So that the Governor for this Presidency, and the Council, and the



Commander-in-chief, and all persons in authority, are bound to pay obedience to the commands of the court in the execution of its several powers; that is, to the commands of the king signified by his writs, which he has entrusted the court with power to issue; so that in any of these persons to refuse obedience was a direct breach of their allegiance to the royal authority and to the sacred person of the king. But though the king had power by his prerogative to invest with this ample authority such judges as he might chuse to commission to administer justice to any part of his dominions, yet they were bound to administer justice according to the laws they should find there, and the law could not be altered after the law of England had been introduced into any conquered country except by parliament. The law of England had been introduced into Bombay long ago, and if the King, by his commission, could confer on his judges powers conferred on the English judges by statutes passed long subsequent, and not bearing that they should extend to Bombay, then would the king, in fact, alter the law of England as established in Bombay without an Act of Parliament, which he cannot do.

The powers of the court therefore, in this matter, were only such as they possessed at common law, and he could only desire that the clerk of the crown do cause a *pluries* writ of *habeas corpus* to be issued returnable before him, the learned judge himself, *immediati*, under the penalty of ten thousand rupees, and the learned judge desired that the writ should be translated by the translator into the Mahratta language, and that the persons charged with the delivery of it should be desired, if they met with any difficulty in delivering it, to apply to the nearest justice of the peace, or if there should be no justice of the peace near, then to the chief civil officer, or magistrate of the Company there, and acquaint him with the writ and the desire of the court, that he should be aiding and assisting to them in the obtaining the means of executing it.

### MISCELLANEOUS.

#### SIR CHARLES H. CHAMBERS.

It is with the deepest regret that we are called on to announce the death of one of the most amiable and distinguished members of the society of this settlement.

The Honourable Sir Charles Harcourt Chambers, Knt., acting chief justice, died on Monday morning last, after two days' illness, aged 39.

This eminent individual was appointed a puisne judge on the establishment of the Supreme Court of Judicature at this presidency in the year 1824, and was distin-

guished from the period of his arrival for the cordiality with which he acquiesced in the plans of his gifted colleague, the honourable Sir Edward West, and for the zealous co-operation he afforded him in their execution. On Sir Edward West's unfortunate demise, Sir Charles Chambers, in virtue of his seniority on the bench, assumed the chief justiceship *pro tempore*, and in the brief interval between that event and his own sudden dissolution, he manifested a degree of firmness and independence that excited the admiration even of those who did not concur in his general views.

The remains of Sir Charles Chambers were interred in St. Thomas's Church on Monday evening. The hearse, bringing the body from the house of the deceased, was met at the church gate by the whole of the officers of the Supreme Court. The honourable Sir J. P. Grant attended at the church in his robes, together with all the barristers, &c. A great number of gentlemen in the military and civil services, the merchants, &c. were also present, and the neighbourhood of the church was thronged with the most respectable natives, all anxious to witness the mournful ceremony.—*Bom. Cour. Oct. 18.*

#### RETURN OF THE GOVERNOR.

The return of the Hon. the Governor, Sir J. Malcolm, to the presidency, is announced in an extraordinary *Courier* of date 30th September. He landed under the usual salute between nine and ten in the morning, apparently in good health, and immediately resumed charge of the government.

#### MURDER AT BEEJAPPOOR.

The following account of an atrocious murder committed in the vicinity of Beejapoor, exhibits the natives of that part of India as capable of the most brutal and bloodthirsty crimes. Those who have hitherto represented them as harmless and incapable of such offences, will surely think differently after this instance of diabolical depravity: they must allow the existence of exception to the general rule.

"An Armenian or Greek passed through this station last month on his route to Deesa, Kutch, and it is said ultimately Bagdad, asking alms, and apparently had been subsisting some time past on the charitable donations from the European part of the community, through a large portion of the Company's territories, as he had in his possession a passport from Madras, and had proceeded as far as the vicinity of Beejapoor, when a man whom he had hired from hence (a Mussulman) to accompany him, turned upon him, cut him down with his sword, and murdered him in a barbarous manner. A woman who was with

with the unfortunate man ran to save him, and clasped him round the body, in doing which half her hand was severed by one blow. After robbing the deceased of thirty or forty rupees in cash, a hoondee for 500 rupees, and all that was worth taking, together with the horse on which he rode, he decamped. The poor woman is now in the hospital, sent here by the native authorities from Beejapoor. The man who committed this foul act, it appears, belongs to the town of Moondah, in the Kaira district, and information has been given to the magistrate with a view to his apprehension."—*Bom. Courier*.

#### THE PRESS AND THE SEPOYS.

In our last volume, pp. 495 and 617, we published a government order, severely reprehending the publication of an article in the *Bombay Gazette* (also inserted) reflecting upon the conduct of the 2d Grenadier native regiment. Some recent prosecutions in the Supreme Court, it appears, have proved that offences of the nature mentioned in the paragraph referred to, had been committed by individuals of one of the native regiments.

In the *Bombay Gazette* of September 24, we find the following extraordinary paragraph:—

"We have waited with all patience and due humility, for what every generous mind must think that we are entitled to receive, namely, some reparation for our outraged feelings, as public and marked, as the censure of our conduct was severe and uncalled-for. The following extract from the *Bengal Hurkaru*, teems with the liberal sentiments for which that paper is so eminently distinguished:—*Little however does the writer of the paragraph know the character of the government of this presidency, if he supposes for an instant that the feelings of a fellow creature, who moves in a humble sphere of life, are in the least regarded—or that atonement would be made to an editor of a paper, unless he could command it from the influence of his connections.*"

The following is the passage in the *liberal paper* referred to:—

"By the trials in the Supreme Court at Bombay which will be found under the usual head, it appears that the statement of the Editor of the *Bombay Gazette*, for which he was so harshly reprimanded by authority, was correct, and he expresses great satisfaction in such a result. It is to be hoped, however, that since the reproof is now proved to have been wholly unmerited, the authority which conveyed it will make some atonement to the wounded feelings of the editor by publicly acknowledging the fact: a measure which justice seems to demand, and which the magnanimity of government surely will

not withhold. Some of the recent outrages have been clearly traced to sepoys of the 7th regiment."

How an offence committed by the soldiers of the 7th regiment can justify the application of the epithet "desperate ruffians" to those of the 2d grenadier regiment, as well as the assertion, that it was a "crying shame on the part of the government," and arguing "a contempt of the civil law, and great inattention to the welfare of peaceful and industrious citizens," to retain these "ruffians" at the Presidency, "after the frequent riots and murders" they had committed, neither of these editors thinks it fit to state. Even if the parties subsequently convicted had belonged to the grenadier regiment, the publication of such a statement as that, which was only reprehended by government, and which was declared to be false by the editor of the *Gazette*, in an extra paper published on the day it was made, five days before any notice was taken of it by the government, the order is not only justifiable, but was called for. For a *reus confuens*, therefore, to expect reparation and atonement, is purely ridiculous.

#### BIRTHS.

- Sept. 2. At Mallingum, Mrs. M. J. de Souza, of a daughter.
- 10. At Sattara, the lady of Capt. H. Adams, surveyor, of a daughter.
- 13. In the fort of Bombay, the lady of E. B. Harrison, Esq., garrison surgeon, of a son.
- 17. At Surat, Mrs. Salvador de Monte, of a son.
- 20. At Bhowndy, the lady of Lieut. Col. Garraway, of a son.
- At Bhyculah, Mrs. Newell, of a daughter.
- At Mallingum, the lady of Lieut. Lucas, 1st troop horse brigade, of a daughter.
- 27. In the fort, Bombay, the lady of J. Bromeld, Esq., civil service, of a son.
- 30. At Colaba, the lady of Lieut. Clendon, H. C. M., of a daughter.
- Oct. 2. At Tannah, the lady of J. H. Farquharson, Esq., civil service, of a daughter.
- At Bombay, the lady of the Venerable Archdeacon Hawtayne, of a daughter.
- 4. At the Hermitage, Bombay, Lady West, of a son, who was named Edward, but lived only for a short time after his birth.
- 7. At Bombay, the lady of James Fawcett, Esq., of a daughter.
- 9. At Poonah, the lady of Lieut. Col. Russell, horse artillery, of a daughter.
- 10. At Nimboole, near Bhowndy, the lady of James Bow, Esq., pioneer bat., of a son.
- At Eden Hall, Mazagon, the lady of M. De Vitre, Esq., of a daughter.
- 15. At Mazagon, Mrs. Smith, of a daughter.
- 21. At Matongha, the lady of the Rev. H. Jeffreys, of a son.
- At Colaba, the wife of Mr. Delaforce, marine department, of a son.
- At Gurgaum, the lady of Capt. John Crocket, of the country service, of a son.
- At Mazagon, the lady of D. Campbell, Esq., Queen's Royals, of a daughter.
- Nov. 1. At Bombay, the lady of A. Conwell, Esq., M.D., surgeon on this establishment, of a son.
- 5. At Colaba, Mrs. C. Daly, of a daughter.

#### MARRIAGES.

- Sept. 17. At Bombay, Mr. D. S. Ogilvy, assistant in the Secretary's Office, to Miss Isabella Jackson.
- Oct. 7. At Bombay, W. Jefferison, Esq., to Harriett, second daughter of F. Free, Esq.
- 24. At Mhow, Capt. John Beckett, 3d L.C., to Miss Louisa Rind, youngest daughter of Thomas Rind, Esq., Strlingshire.

Sept. 9. At Bombay, in the fort, Jhangceer Ardaseer, in his 47th year.

21. At Mazagon, Archibald Inglis, Esq., merchant, aged 43.

24. At Bombay, at his house in his Majesty's naval arsenal, John Pollexfen, Esq., his Majesty's master shipwright.

26. In camp, near Deesa, Capt. Edw. Stewart, 2d regt. European artillery.

Oct. 5. At Kalladyhee, Capt. Wm. Babington, 6th Madras L.C.

6. At Bombay, Ann, wife of Lieut. Wm. Bowater, H.C.'s marine, aged 27.

16. At the Hermitage, Bombay, Lady West, relict of the late Chief Justice of Bombay.

— At Bombay, Mrs. Malcolm Denies, aged 18.

Nov. 2. At Bombay, Mr. Wm. Wesencraft, general record keeper to Government, aged 34.

Lately. At Bombay, Ann Maria, wife of Mr. Feliciano de Souza, aged 23.

— At Bombay, the lady of the Venerable Archdeacon Hawtayne.

## Penang.

COURT OF JUDICATURE, August 4.

This day there was a special meeting of all the judges of the court, to hear the demurrer by the Company's law agent, to the petition filed by Charles Maitland against the Hon. East India Company, for an assault on and false imprisonment of Maitland by some of the Hon. Company's servants (see p. 228); when after a most patient hearing of a very long address from Mr. Trebeck on behalf of the petitioner, the court did not think that the petition could be supported in law, and therefore dismissed it, allowing the demurrer to stand, with costs.

*Cutting of Timber.*—A cause lately decided in the court of judicature here in favour of the Hon. Company, confirming their seizure of some timber that had been hewn in the public forest, although having set at rest the question in litigation, has failed (from the various false reports circulated of the circumstances of the case) to satisfy the minds, not only of the description of people who are concerned in the business but of many others, as to the justice of the decision, and the right arrogated by government over what these people wish to be considered public or general property. It is for the purpose of doing away the erroneous notions that have been formed upon this subject, and to save these deluded people from useless litigation, which leads them into ruinous expenses, that we have taken the trouble to make ourselves so well acquainted with the matter as to presume to offer them, through those who have an opportunity of conveying it, a sufficiency of information to serve as a guide for their future conduct in such cases. The forests of the island, excepting upon such lands as have been given or granted by government to individuals, are exclusively the property of the Hon. Company, and no person has a right to hew a tree or even a twig therein, without permission

from the local authority. If however they do presume to cut down trees without such leave, the timber so felled is still the property of the Company, and may be pursued and seized. This exclusive proprietorship of ungranted forests, gives the government full power to impose any taxation upon the hewing of timber, and to enact any regulations relative thereto that the local authority may deem proper; and those who seek to obtain timber from the Company's forests, must of necessity conform to them: there is no help but by favour of the government, which possibly, in some instances, as it has done in many, would remit the usual duty. In the particular case alluded to, report has stated that a pass was granted on payment of the required duty before the timber was hewn; but we can assure the public that such report is entirely false, the fact being, that upon the seizure of the timber after it was cut down, the party cutting hastened to the land office and obtained a pass as for timber to be cut: but the trick was detected and of course failed of the desired success.—*Pen. Meg.* Sept. 17.

*Slavery.*—A very valuable part of the trade of this island, hitherto carried on by Chinese junks, is now quite at a stand. The late proceedings instituted against some of our most respectable Chinese merchants on a charge of being concerned in slave dealing, has caused among them a panic which those alone who understand the character of that people can well imagine, and as regards the commercial interest of the island it is much to be regretted, whatever be the result, that the trial was not gone into at the last session; for, unfortunately, operating as do many similar objects of public utility, the delay of the law has deprived a number of industrious men of employment, and consequently of the means of support, so that it may be a question whether the object is equal to the sacrifice.

### BIRTHS.

July 20. The lady of A. M. Bond, Esq., civil service, of a son.

Aug. 27. The lady of Capt. E. E. Bruce, 36th Madras N.L., of a son.

### DEATH.

Aug. 29. Capt. Stephen Brown, of the ship *Batavia*, belonging to Mr. Thornton, of London and Batavia.

## Singapore.

### BANK OFF ROUND ISLAND.

To the west of Pooloo Sootoo, or Round Island, there is a bank laid down by Horsburgh, supposed not to have sufficient water in it for the passage of ships. This may be partially the case, but it is not entirely so, inasmuch as the *Reaper*, which

has just left this port, passed over it on her way here. She anchored about a quarter of a mile to the S. W. of Pooloo Sootoo, and in sailing from thence passed over the bank at from a quarter to half a mile within the edge of it, with soundings of 17, 16, 15, 14, 14, 12, 10, 9, 8, 10, 11 fathoms, till she came into the usual track again near the island of Luban.—*Chron. July 17.*

## TRADE.

Comparative statement of imports and exports of the settlement in the years 1826-27 and 1827-28.

Imports from	1826-27.	1827-28.
Calcutta S.Rs.	1,953,120 —	2,316,466
Madras .....	403,001 —	414,697
Bombay ....	255,700 —	376,889
England ....	2,835,477 —	1,920,126
Total (including other places)....	13,619,786 —	14,885,999
Exports to		
Calcutta, S.Rs.	2,039,761 —	1,631,349
Madras .....	278,928 —	1,138,099
Bombay ....	526,188 —	188,012
England ....	2,115,118 —	2,789,513
Total (including other parts) ....	13,883,062 —	13,872,010

## BIRTH.

Aug. 12. The lady of the Hon. Kenneth Murchison, Esq., resident councillor, of a son and heir.

## MARRIAGE.

Sept. 8. Mr. T. O. Crane to Marianna, only daughter of Dr. Joseph de Almeida Carvalho e Silva.

## DEATH.

Oct. 3. On board the *William Fairlie*, bound to Macao, Capt. Flint, R.N., master attendant at Singapore, aged 47.

## Malacca.

## MISCELLANEOUS.

**Piracy.**—It is with regret we have to revert to the subject of piracy, which disgraces the Straits, not only for its frequency and the open and audacious manner in which it has been carried on of late, but also for the “security” in which piratical depredations and murder are committed, which security, as our cotemporary at Penang justly observes, “is the very best encouragement for marauders to persevere in their successful contributions on native commerce.” A few days ago a prahu on its way from Singapore to Siac was attacked by a pirate vessel, which fired into her, and wounded the Nacoda with the first shot. The fire, however, was returned with equal warmth from the prahu, and the skirmish might have con-

tinued for some time, did not a vessel, very fortunately, heave in sight, at which the pirates sheered off. The prahu put into Malacca, where she now is, with the Nacoda on board, who is, we are happy to say, getting the better of his wound. But this is not the only instance of piracy we have to relate, occurring within a few days. Three fishermen, belonging to the village of Sempang, about twenty miles down on the coast, were taken while on a fishing stake, by pirates, who sent one of them in a boat to the village to bring back a ransom for himself and companions. After a good deal of bargaining, the three were released on the payment of sixteen rupees, no small sum to poor native fishermen. One or two other similar cases have been mentioned to us, which we need not detail. We have stated enough however to shew it is high time that effective measures should be taken to eradicate those robbers; we say effective, for although for some time a cutter has been employed by government, with that view, yet nothing has been done.—*Malacca Obs. Aug. 26.*

**Consequence of Anger.**—A lusty Chinese belonging to this place, finding too much leisure on his hands, was desirous of amusing himself with the sport of angling. Having procured a small net, he waded out, determined to procure a good dinner for himself. But it would seem as if he had chosen an inauspicious day, for as his evil stars would have it, after hours of toil and disappointment, he caught nothing but a solitary flat fish, known here by the name of ikan lidah, or tongue fish (the sole). What vexed him the more was, a companion near him was rather fortunate in his hauls. His vexation being at its height, he determined to vent it on the solitary fish he had taken, and was in the very act of giving it an unmerciful bite between his teeth, and had opened his mouth for the purpose, when the fish, as if conscious of its impending fate, made a desperate plunge, and stuck right in the throat of the Chinaman! Imagine to yourselves, gentle readers, the situation of this descendant of the celestial empire, who being inclined to corpulency, had not a very wide guttural passage. Gaping, and roaring, he was conveyed to the fish market, where, after many ineffectual efforts to pull out the fish, it was extracted by means of a pair of pincers, but not without a quantity of blood accompanying it. He is now nearly as well as ever, although we suppose he will never attempt to infringe on the privileges of the sea fowl, and bite live fish again.—*Malacca Obs. Aug. 12.*

## BIRTH.

Aug. 13. The lady of the Rev. Samuel Kidd, of a daughter.

## DEATHS.

July 13. Of the small pox, Furcy, aged two years, and Elisa Clementina, aged four years, son and daughter of J. B. De Wind, Esq.

## Netherlands India.

## JAVA.

By a letter from Java dated the 14th of August 1828, we learn that the seat of war is at present between Djoedjo and Mageland, and that the Solo district was so quiet that a gentleman had travelled much in it during the preceding month without weapon or attendant, and met with no molestation. The dry season had fairly set in, and it is said that if the troops were a little active, peace might be brought about before the next rains, but that if the wet season returns before this desirable object is accomplished, during the wet season it will certainly not be attained. The Netherlands troops are cutting the insurgents up by thousands, if the *Java Courant* is to be credited; we are informed however that the official accounts in that journal are to be taken *cum grano*; in other words, that if we deduct four-fifths from the number of unfortunate rebels annihilated in each bulletin, the remainder will give us the true number of the slain.—*Sing. Chron. Sept. 25.*

Files of the *Javasche Courant* to the 2d of September reached us on Thursday. There are several notices in them about the war, but nothing we believe of great interest. No progress appears to have been made towards a pacification, and a desultory warfare is carried on, in which sometimes one party, sometimes the other, is victorious. General Van Geen is gone home. There is a sensible paper in French in one of these journals on the employment of foreign ships, in which it is contended that the measure, so far from being prejudicial to national interests, is quite the reverse. It had been proposed to levy in Holland a prohibitory duty on coffee imported in foreign bottoms from the Dutch colonies. They cannot by the treaty impose an export duty in the colony. The measure was aimed at the English convict ships, which frequently touch at Batavia for return cargoes of coffee and take it at half the rate of the Dutch vessels. The answer to this is founded in sound sense; if, it is said, you adopt this measure you will not injure the foreign ships but your own trade, for these vessels will in that case take the colonial produce to foreign markets.—*Beng. Chron. Oct. 11.*

## Persia.

Letters from Persia state that a Livonian baron, aide-de-camp to the Go-

vernor-general of Georgia, had arrived at Teheran with letters from the emperor of Russia for the king and H. H. Abbas Meerza, accompanying the ratification of the late peace. He also brought acknowledgments of the good offices performed by the envoy and English officers, together with gold snuff-boxes for Col. M. and for Dr. McNeill, very beautiful, particularly the envoy's, which was set with large brilliants and a portrait of his Russian majesty. The emperor it is said has also directed his ambassador in London to obtain the sanction of our government to the first class of the order of St. Anne being given to the envoy, and the second class upon inferiors of the mission.

Abbas Meerza came to Teheran to take leave of his father preparatory to his journey to St. Petersburg; but the project is now laid aside for some time owing to the emperor's departure to the wars, and the prince has left Teheran on his return to Azerbaijan, his affairs being still in an unsettled state. Khoe remains still in the hands of the Russians, though only one crore is required to obtain its redemption, and indeed that is all that remains due of the indemnity; two crores of the sum originally settled by the treaty, were remitted by the Russian emperor.—*Beng. Chron. Sept. 25.*

## Siam.

We have been indebted to the politeness of a friend for the perusal of a letter from Bangkok of the 6th ultimo, mentioning that, about a week before, a Burmese embassy had arrived upon the Siamese frontiers, from whence the ambassadors had forwarded to Bangkok a letter from the king of Ava, written, it is said, in a style of great humility, as the object of the embassy was to solicit an alliance with the king of Siam. In this letter the king of Ava acknowledges that his predecessors erred in making war upon the Siamese; that fully sensible of this, his present Majesty has not only avoided so hurtful a policy, but, on the contrary, has been anxious to cultivate the most amicable relations with his neighbours. That, as to the English, they cannot remain much longer in his country; that they have indeed continued to hold a part of it, but that this has only been that an old prophecy might be fulfilled that the Burmese should be overcome by a nation wearing hats; that this prediction being completed, it could not be designed by the fates that the English, a people of a strange religion, should remain in the country longer, nor in fact does his Majesty intend to allow them; and that he solicits the ministers of the king of Siam to intercede with that great and powerful monarch to join the two nations in perpetual friendship, so that

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rendering assistance to each other in seasons of necessity, they may in time to come set the world at defiance. It was stated, but not believed at Bangkok, that direct assistance had been asked to drive the English out of the ceded territory.

The embassy is said to have met with most ungracious treatment. His Majesty of Siam wished at first to send and catch the ambassadors of his royal brother, and make them cut grass for his elephants, or deliver them over to the English; but it was finally resolved simply to order their immediate departure; and that they had accordingly returned without an answer.

Such is literally the information communicated to a European gentleman at Bangkok, by Siamese high enough in rank to be themselves well informed; but those acquainted with Asiatics well know, that it is not on that account to be implicitly relied on.—*Sing. Chron. Sept. 25.*

Accounts from Siam state that the government was actively engaged in preparing vessels of war and was getting on rapidly. The Prakiang had left Bangkok to commence erecting a fort at a place called Bamplosai, as a sort of *point d'appui* from whence to encroach upon the Cochin Chinese territory, should the Cochin Chinese advance upon Siam from the Laos side, as it was expected they would do. The Laos had rebelled, and news had reached Bangkok of a skirmish with them, in which the Siamese had the worst of it, a number of them being killed. They were reinforced, however, and the Laos fled into Cochin China, and it was expected that the king of that country would take the field in aid of them as soon as the rains were over, in which case, Europeans at Bangkok, well acquainted with the politics and relative forces of these nations, are of opinion that the Siamese will prove the weaker party.—Our correspondent, in a letter of the 6th of August, adds: 'The three junks from Calantan arrived yesterday with the gold and silver trees for the king of Siam. One junk brought the silver tree and another the gold; and the third some other little presents, such as gold rings and some white cloth. You may say that one junk could have brought all these things to Siam, and so it might; but the reason of sending three junks is, that the king of Siam allows them a cargo of any thing they chuse, in return for the presents, and they are of opinion that three junks-fulls are better than one. They generally take back cargoes of rice.'—*Ibid.* Oct. 9.

Our intelligence from Siam comes down to the first of this month. Two Cochin Chinese embassies had arrived at Bangkok, one by sea, and the other by land. The

purport of a letter from the king of Cochin China, brought by the mission, was to intercede for the prince or king of Laos who, as has been already mentioned, had rebelled against the Siamese; requesting that the king of Siam would allow him to retain his country, and stating that the prince would accompany the land embassy to perform the *tok hooa*, or 'knocking the head' to the king of Siam. The ambassadors had had two audiences, but the king of Siam remaining inexorable, they had requested permission to depart.

The preparation of the naval armament was still going on; forty vessels were about to be launched, and the total number when collected at Bangkok from the provinces, was expected to amount to at least a thousand. The king of Ligor is to be commander of the fleet.

A duty of six per cent. per coyan was charged on salt brought from Siam in the brig Rhio, by the gentleman from whom we have our information. This he considered contrary to the treaty, and remonstrated several times in vain, until at last he told the Siamese that to him it was a matter of indifference, but that from the regard he felt for them he had wished to avoid the unpleasant necessity of appealing to the British government. This had an instant effect, and the money was refunded.

An American ship of 400 tons was at Bangkok from Hamburg. She had brought 2,000 English muskets, and 150 cannons, some of them of large size, and all of English founding.

English cotton goods, chiefly 6-4 cambrics and long-cloths, and English woollens of all colours, were remarkably cheap, having been carried up in great quantities from this settlement in the Siam junks of last season. A Dutch ship from Batavia loaded with cottons took the whole back, with the exception of two or three cases, and these were sold at a loss.—*Ibid.* Oct. 23.

### Cochin-China.

A report has arrived by the junks from that country, that a great conflagration had occurred which continued for three days and nights, and which consumed three or four thousand houses; in consequence of this the price of drugs in Canton has considerably risen.

We understand that the king of Cochin China has sent an ambassador in one of his own frigates to the government of Manilla, for the purpose of negotiating a free commerce between the two countries, and that the embassy was received with that cordiality and respect, so natural to the genius of most enlightened states.—*Canton Reg. Aug. 6.*

## Japan.

Mr. Burgher, the intelligent mineralogist, who visited China in the beginning of this year, and mentioned the curious fact of the Japanese linguists being employed on translating Morrison's Chinese dictionary, has returned from Batavia to Japan, in the nominal character of a surgeon. He is, we have heard, a military man. Mr. Medhurst, an English missionary, who is studying Japanese, asked permission to go in the single ship sent this year to Nangasaki, but was refused permission by Dutch authorities.—*Canton Reg.* Oct. 18.

## China.

### TRADE.

The following chap, or proclamation, has been issued by the Governor, establishing the system upon which the foreign trade is in future to be conducted. It is dated 14th July 1828.

LE, Governor of Canton, &c. &c. with Yen, commissioner of customs at the port of Canton, hereby make known regulations agreed upon, for carrying on commerce between native shopmen and foreign merchants, of all nations, and require obedience to the same.

The treasurer and judge of Canton having received orders to meet and deliberate on the subject, reported to me, the governor, as follows:

"We being commanded to meet and deliberate on regulations for the trade between native shopmen and foreign merchants, ordered the Kwongchowfoo to unite with the Naphae and Pwangu magistrates, and examine the old records on the subject, then consult and state their opinion. They did so, and laid the result before us, when we came to the following resolutions:—Foreign merchants of all nations, coming to Canton, were formerly restricted in their dealings with shopmen, to leather, shoes, chinaware, &c., eight articles. Exclusive of these, all imports and exports were confined to the Hong merchants, who were made responsible for the duties, to prevent smuggling and such nefarious proceedings. The linguists were appointed solely for interpreting, and were not responsible for trade. It is proper to keep them on the old footing, in conformity with existing laws. But the Hong merchants have now represented that the Americans are desirous to be allowed to trade either with shopmen or Hong merchants, as they please, whether for great or small commodities. And of late, foreign ships in greater numbers have come to Canton, in which are a great many trading skippers, for whom the eight articles to which they were restricted are insufficient. The circumstances of

present and former times are different. That on deliberation they would make out a list of the larger articles of import and export cargo to be confined to the Hong merchants, and earnestly soliciting a change of the law, which would be shewing compassion to the remote foreigners, and be beneficial at home. This was their motive. We (the treasurer and judge) commanded the officers before named to examine into this subject, and report; which they did. It is proper for us now to state the result, which is, that a list be made out of exports, tea, raw silk, &c. (24 articles,) and of imports, woollens, camlets, &c. (53 articles,) all of which large commodities the shopmen shall be prohibited from dealing in. All other goods not inserted in the list, whether exports or imports, coarse or heavy commodities, miscellaneous articles, and eatables, shall be left free to the foreign merchants to deal with shopmen, and shall be shipped off by Hong merchants, who are to be responsible for the duties. As to worked silks, since they are not brought from Soochow or Hangchow, but woven from time to time by natives of Canton, when applied for by the foreign merchants, and since the Hong merchants say that this practice is expedient, both for foreigners and natives, it is right to grant their request [to leave silks free]. All coarse and miscellaneous articles not inserted in the list, are free to the foreign merchant, who now chooses to deal with shopmen. But hereafter, if the shopmen incur debts, the Mandarin merchants shall not be implicated. The foreign merchant must, in all such cases, be left to himself to clear his account. With respect to shopmen dealing with foreigners, it is inexpedient to leave them without some one to inspect their conduct. We (the treasurer and judge) request that it may be made the duty of the Hong merchants and linguists to examine from time to time, and should there be any smuggling, the Hong merchants shall be responsible, and the linguists brought up and punished. This change seems required by the times; and since the foreigners will be compassionate, the merchants accommodated, and the responsibility fixed, there will be no loss to the revenue, nor any obstacle from the laws. Having received orders to examine and consult, we now submit whether these suggestions be right or not, and wait for instructions to promulgate them. We moreover request that a communication may be made to the Hoppo to examine and conform."

These statements have come before me, the Governor; and as the deliberations are completed, I direct in accordance with the above suggestions, a list to be made out of exports, tea, raw silk, &c. (24 articles.) [Here he quotes verbatim the preceding para-

paragraphs, and desires the Hoppo to issue a proclamation in their united names to the Hong merchants, to communicate the orders of government to the foreigners of all nations, and to the native shopmen, that one and all of them may yield obedience to the same.]

Thus the affair comes before me the Hoppo, and I heroby issue, in the name of the Governor and Hoppo, the following orders. [Here he repeats verbatim the preceding, and then adds.] Let merchants, foreigners, linguists, and shopmen, all be hereby fully informed, that hereafter they are required implicitly to obey the preceding regulations, to examine and conform their dealings to the list of exports and imports, hereto annexed. Hong merchants alone are allowed to trade in the articles therein mentioned. Shopmen are not permitted to have any secret intercourse with foreigners. Of the wrought silks, each ship is to be limited to 8,000 catties. The said shopmen are permitted to deal with foreigners only in miscellaneous articles, not in the great articles of commerce. The foreign merchant, in dealing with shopmen, has been required to give in a list through the linguist, whose ears and eyes were near, and can easily investigate. Hereafter in reporting goods to be shipped off, he must distinguish clearly which belong to hong merchants, and which to shopmen. It is made the duty of the linguist to discriminate according to law, ere a permit be given. He is not allowed to confuse these things; if he do he will be severely punished. The linguists are, besides, ordered to make out a list of all the foreign-goods shops, and whether the owners be substantial good people, and cause them forthwith to present to government associated names for security, to be preserved on record. As to any debts that may hereafter be contracted by the shopmen, the foreigners themselves must manage the affair.

It is made incumbent on the Hong merchants and linguists to examine and report on what is going on. If they presume to conceal what they know, and any clandestine proceeding be educed, they will be severely prosecuted. Positively, the Governor's and Hoppo's words once gone forth, the law will follow. Positively, no indulgence will be shewn. Let every one implicitly obey. Oppose not this special edict.

*List of the 24 articles of Export.*

1, All sorts of teas; 2, raw silk from Oakwong; 3, silk prepared for weaving; 4, Canton raw silk; 5, all sorts of cloth; 6, native cassia; 7, cassia buds; 8, sugar-candy; 9, sugar; 10, tutenague; 11, alum; 12, cloves; 13, nutmegs (or mace); 14, quicksilver; 15, China camphor; 16, rhubarb; 17, galangal; 18, China root; 19, vermilion; 20, gamboge; 21, dam-

mar; 22, star anniseed; 23, pearl shells; 24, cochineal.

*List of the 53 articles of Import.*

1, Worleys; 2, Dutch camlets; 3, camlets; 4, long-ells; 5, broad-cloths; 6, cuttings of cloth; 7, sorts of camlets; 8, florentines; 9, ginseng; 10, sandalwood; 11, birds' nests; 12, cloves; 13, nutmegs; 14, putchuck; 15, olibarum; 16, Malay camphor; 17, elephants' teeth; 18, pepper; 19, foreign tin; 20, ditto lead; 21, ditto copper; 22, ditto steel; 23, cotton; 24, rattans; 25, betel-nut; 26, smalts; 27, Prussian blue; 28, bicho do mar; 29, fish maws; 30, sharks' fins; 31, materials for glass; 32, ebony; 33, sapan wood; 34, cochineal; 35, gum kino; 36, myrrh; 37, physic; 38, assa-fetida; 39, physic oil; 40, quicksilver; 41, foreign iron; 42, wax; 43, cutch; 44, pearl shells; 45, sago; 46, undressed nests; 47, ( ); 48, flints; 49, bc-rax; 50, amber; 51, gold and silver thread; 52, all sorts of skins; 53, mace.

The Editor of the *Canton Register* is of opinion, "that the mode of dealing will not in the least degree be changed, as the collusion under which the trade has hitherto been carried on we consider will still be preserved, to the convenience of those who may wish to avail of it; and that the progress of smuggling, and illicit traffic, will not in the slightest manner be molested."

The following petition from a British firm connected with the country trade between India and China, and the reply of the governor of Canton, will further illustrate the peculiar theory of political economy, in respect to foreign trade, entertained by the Chinese government. To his Excellency the Governor-general of Kwongtung and Kwongsei provinces.

*A Respectful Petition.*

On the nineteenth day of the twelfth moon of last year, your petitioners, Magniac and Co. foreign merchants, presented a petition to your Excellency, accusing Manhop a Mandarin merchant, and Elung's House, of having defrauded them of, or in other words stolen from them, 1820 bales of cotton, worth 59,823 dollars and odd, and soliciting redress. This petition was followed by three others, to which your Excellency condescended to reply, saying an investigation had been ordered, and justice should be done. It is now the fifth day of the fourth moon, and your petitioners are still unpaid; Manhop's hong is broke, and the partners of Elung's house are at large, never having been confined or tried, as far as your petitioners can learn. They have been told that Manhop and Elung deny the charge. This was to have been expected, and ought never to have satisfied an honest judge. Why was this investiga-



tion put off till Manhop's purser, his cash-keeper, and even his coolies, had run away? Why were not his books and accounts examined, and severe scrutiny had recourse to, as ordered by your Excellency? Is it possible that your petitioners, who have other claims to the extent of nearly three lacs, should accuse Manhop wrongfully, in this transaction only? No! the facts are well known. If there was nothing improper done, why did all Manhop's people run away? If your Excellency allow Manhop and Elung to escape unpunished, who can ever trust a Mandarin merchant again? Your Excellency may as well issue an edict declaring it legal and praiseworthy for the merchants to entice foreigners to deposit their property in their hong, and then hand it over to their hidden partners in the city, leaving the foreigners to be paid by instalments from the Cohong.

Your petitioners have suffered by failures of five or six Hong merchants, but never heard one of them accused of acting dishonestly; on the contrary, they pitied their misfortunes, and even assisted them with money, when in prison; still these men were punished according to law by the then viceroy. Now, when a Mandarin merchant is not only largely indebted to foreigners, but accused, and justly accused, of the detestable crime of stealing; in place of prompt punishment he meets with protection, and his accomplices in iniquity escape altogether! This must be contrary to law and justice, and cannot be endured!

They trust they have said enough to induce your Excellency to attend to their humble petition; and to grant them immediate redress, by paying, or causing to be paid them, the amount of their stolen property, with interest. If not, they can never cease from petitioning your Excellency. Their claim is a just one; reason calls aloud in their favour, and her voice must be heard. The celestial empire is their debtor; and her own sense of justice should insure them the payment of their claims.

Your Excellency's most obedient servants.

MAGNIAC and Co.  
Canton, 18th May, 1828.

Reply.

I, Vice President of the Military Board,  
Governor of Canton, &c.

A Public Reply to the Indian barbarian  
merchants, Magniac and Jardine.

The said foreign merchants thrice before presented petitions, and orders were given to the Heen magistrate to prosecute. The property of Manhop's hong also has been seized and confiscated to pay.

Heretofore when Hong merchants became indebted to foreigners, those who offended were certainly punished. The

celestial dynasty's laws are rigidly severe, and never shew any partiality. Have not all seen it, and all heard it? Just as in this case, wherein the said barbarians had commercial dealings with Foklung (Manhop's) hong; take it for an example. In Canton there are a great many Hong merchants; and the said barbarians were allowed to choose the most substantial, and sell their goods to them. Since, however, they took their cotton, and sold it to Manhop, it must have been that daily there was very great reciprocal confidence. Their being all at once defrauded, shews no doubt the perverse credit of the said hong; but it also arose from the said barbarians' injudicious selection of a person to deal with. They have repeatedly dunned me with petitions, saying in what manner Manhop had secretly removed their cotton; but they could adduce no substantial proofs. I, commiserating foreign barbarians, did not inflict chastisement, but ordered Manhop to be imprisoned, and directed, if there was not enough to pay the barbarian debts, to provide for the payment thereof according to law.

Whether the shopman Elung had or had not linked on with Manhop to defraud, I ordered the Namhoy magistrate to summon the parties, and examine them. The said barbarians ought to have waited till the matter was clearly investigated, discrimination made, and the affair managed. But now again, the fourth time, they present a petition, falsely affirming that the case is not prosecuted; and go all the length of saying that the accused are allowed to do as they please, without laws, without rule, &c. To be thus disorderly shews that their madness, rebellion, and audacity, have reached the extreme limit. By right, they should be immediately seized and punished; but in clemency I first issue this reprimand publicly.

I again order the Namhoy to re-examine Foklung and the Hong merchants; and beside doing so, declare that if hereafter, the said barbarians presume again to indulge their humour, and perversely whine and dun me with statements, I will positively order them to be immediately seized, fettered, and severely prosecuted, and will at the same time write to the king of their nation to punish them severely, to repress such perverse savagism. Decidedly, I will not shew the least indulgence or forbearance. Tremble at this! heed this!

Taoukwang, 8th year, 4th  
moon, 7th day.

#### RIGHT OF PETITIONING.

The local government of Canton, a few days after the receipt of Messrs. Magniac and Co.'s petition, namely, on the 21st May, issued the following edict, whereby

whereby the opportunity of making known his grievances is absolutely denied to the foreign merchant.

*Edict, dated 21st May 1828.*

Le, Vice-President of the Military Board, general censor of the empire, governor of Canton, &c. hereby proclaims a second time as follows:

In consequence of foreigners going to the city gate to present petitions, I before strictly interdicted doing so, as is on record.

But recently the foreigners have again presumed of themselves to present reiterated petitions, which shews great opposition and obstinacy. And the Hong merchants are daily remiss in restraining and instructing them; also at the time of acting, they neither heed it, nor prevent it. It is impossible for them to deny their guilt. It would be right to seize and prosecute them. But in clemency I again issue this proclamation, whereby I command all the Hong merchants, and the foreigners of all nations, that hereafter, if the foreigners have really any important business, which it is absolutely necessary to state to Government, they must first inform the said foreigners' security merchant to translate their petition for them, and then with the original foreign petition to present them through the said security merchant.

If any again presume to approach the city gate to present a petition, the foreigner doing so shall assuredly be punished; and the security merchant of the said foreigner, who may have failed to discover it, shall, together with him, be severely punished. The orders I issue shall be executed. Take heed, and do not with your bodies try an experiment with the laws, and involve yourselves in too late repentance.

Let every one tremblingly obey! Do not oppose! A special proclamation!

*Tuoukwang, 8th year, 4th moon, 12th day.*

The *Canton Register* contains the following remarks upon this edict, which was immediately enforced on the commanders of British vessels.

"The right of petitioning government is fully recognized by the usage of China, but it is checked by various regulations. The law on the subject is contained in Sir George Staunton's translation of the penal code, under the word "*Informations*," sec. 332. Subjects are required to petition first the lowest officer in the district to which they belong. If instead of doing so, the petitioner at once appeals to a higher authority, he is punishable with fifty blows, even though his complaint be just. When, however, he is either not heard, or justice is not done him, he has the right of appeal from court to court upwards, even to the monarch himself.

Anonymous accusations are illegal, and the officer who acts upon them is liable to 100 blows. The officer who will not receive and act upon petitions or informations, is punishable with 100 blows. In presenting petitions, to rush through the retinue of a Mandarin in the streets, to put a petition into his own hands, is punishable with death. Every fifth day is appointed for receiving petitions; and it is the practice, although condemned by law, to have them all stamped by an official writer, who is supposed to peruse them. The code, however, says that such writers were originally allowed for the convenience of people who could not write, and those who can write themselves need not employ them. The magistrates sometimes tear petitions in pieces, and throw them at the presenters. Spirited people, however, never desist till they obtain a hearing; and in great cases, they beat the drum at the chief judge's gate to demand redress. There are two drums at the *Ancha-sze's* gate, placed there for the purpose.

"The above order from the governor, respecting foreigners petitioning, seems very objectionable. Its design is to make the native merchants responsible for the matter and the wording of every petition. But to have a direct intercourse with the government, the petitioner being alone responsible, is better both for the foreigner and the native, if they know their own interests; and is so reasonable a thing that no governor could persevere with impunity in resisting it. The dicta of the local government are not law, nor are its assertions that such and such is law, to be implicitly believed. Foreigners have a right to use strenuous efforts to preserve the few privileges they enjoy, and to endeavour to increase them, as they would do under their respective governments. That a foreigner has no rights, is a proposition which reason and common sense do not approve.

"If we are correctly instructed, at this moment a most temperate and respectful petition to the viceroy, which had been delivered many days since to the chief of the Cohong, without containing one obnoxious paragraph, and merely upon matters relating to the existing modes of trade, is now lying unopened on the table of the Consol. So much as a commencement under the new regulation!

"It is in nature for one aggression to be quickly followed by another. One of the country ships, after having been here upwards of a fortnight, remained without a compradore (or a person to supply the crew with daily provisions), in consequence of the commander resisting the unjust demand made upon him for the payment of an unprecedented sum for that purpose; the linguist, who was interested, support-

ing

ing the extortion, and the Hong merchant avoiding all interference. If these Mandarin merchants, who are commanded to mediate upon the grievances of foreigners, refuse instant redress upon matters of such vital importance, what other mode can be adopted than that of a respectful approach to the head of government?

"We cannot imagine a more interesting spectacle than that of a crew of quiet Lascars, conducted in perfect order by a British commander to the gates of the imperial city, imploring or rather demanding that they might be regularly supplied with their daily food!"

#### MISCELLANEOUS.

*Sumptuary Laws.*—His Imperial Majesty has, at the suggestion of a censor of the empire, issued his commands to enforce the sumptuary laws of the land against all sorts of luxury. In all the provinces, he says, the spirit of the age is frothy and flowery, to a degree which exceeds any former example. But he honours plainness and economy, and requires that the laws contained in a code called *Hwuy-tecn*, which regulate the dress and ornaments, and marriage ceremonies of every rank, be printed, circulated, and enforced. These Chinese laws prohibit all the gay colours excepting red to the people. They are required to confine themselves to blue and black and quaker greys. They are not allowed borders or facings to their garments, nor shoes with the Egyptian border. Silk umbrellas are forbidden, &c. &c.—*Ibid.*, July 19.

*Embassy from Nepaul.*—The envoy from Kathmandu, the capital of Nepaul, to the court of Peking, is announced in the gazette as having arrived in the province of Sze-chuen.

*The insolvent Hong Merchants.*—The viceroy of Canton has, by an edict, fixed the period of seven years for the payment of the debts of Manhop, the insolvent Hong merchant, by the Co-hong.

Pacqua, the Hong merchant who has long been immured in prison on account of his insolvency, and detained in Canton in consequence of the late war on the frontier, is sent to Elee in banishment. He was ever considered as a man of integrity, and his countrymen, in conjunction with the foreigners, are contributing their aid to temper in some degree his unfortunate fate.

*Transportation and Slavery.*—It has for many years past been the legal practice in China proper, to sentence criminals not deserving death to transportation to western Tartary, there to be given to the soldiery as slaves; but the numbers sent

have been so great, that every soldier has of late possessed ten or a dozen slaves. On these he had power to exercise great cruelty and oppression, and they in their turn often rebelled. On some occasions, it is reported, the slaves have risen and murdered all the household of their masters. From the northern parts of the empire criminals are sent to the south, and given to the Tartar soldiers who garrison towns, to be slaves. Delicate females, implicated by their husbands, are often subjected to this punishment. We have heard terrible stories of the cruelties and indignities exercised upon them. The ladies, wife, daughters, &c. of Chang-kihur's uncle have lately been sent from Peking southward, and subjected to slavery, whilst the men belonging to the family are separated from them, and condemned to everlasting solitary confinement.—*Canton Reg.*, May 10.

*Epithets applied to Foreigners.*—It is well known that, like the rest of mankind, the Chinese think very highly of themselves, and very meanly of others; and therefore it cannot be previously expected that they would use terms which are respectful. If they used words such as *foreigner*, which indicates nothing contemptuous or unpleasant to the people who are not Chinese, they would stand perfectly acquitted of incivility. But every one knows that in ordinary speech they use to each other, and in the hearing of foreigners, the most contemptuous language; such as foreign devil, red-bristled devil, black devil, a devil, flower-flagged devil, &c. Even his most Christian Majesty's dollars they designate sometimes devil-faced money, and foreign languages they call the devil's talk. Not only the poor ignorant people, but the gentlemen merchants, the custom-house officers and magistrates, use such language, and occasionally write it to the parties concerned. In ancient times, as appears by the book of odes, foreign countries were called by the Chinese the devil's regions. "As the Greeks had such an high idea of the preeminence to which they were raised, they seem hardly to have acknowledged the rest of mankind to be of the same species with themselves;" so the Chinese, by their word *Kwei*, which they deal out so liberally, imply that foreigners are not of the same species; for in all these cases, they could use the simple word *man*, if they did not wish to be contemptuous. The Chinese are not at all peculiar in this. There are words in all languages intended to express disrespect for foreigners.—*Ibid.*, May 24.

#### SHIPPING.

*Arrivals of H.C.'s Vessels from England.*  
Aug. 15. *Barwickshire*, *Canning*, and *London*.—  
27. *Dunira*

2d Foot. Lieut. R. L. Phipps, from Royal Staff 27. Dunira.—Sept. 9. *Edinburgh, Orceoli, and Duchess of Athol.*—11. *Castle Huntly.*—13. *Sir David Scott.*—22. *Abnercombia Robinson.*—Oct. 15. *William Fairlie, Marquis Canlen, and Macqueen.*—16. *George the Fourth, and Marquis Huntly.*—17. *Reliance.*—18. *Earl of Balcarrais, and Lord Lowther.*—Nov. 6. *General Harris, and Thomas Coutts.*—7. *Lady Kennaway.*—16. *Lord William Bentinck.*

## BIRTH.

July 27. At Macao, the lady of A. Grant, Esq., of a daughter.

## DEATHS.

Sept. 6. At Macao, C. Cachatoor, Esq., an Armenian merchant, one of the oldest residents in Canton.

Oct. 2. Drowned at Whampoa, while bathing near the shore, Mr. J. C. Cock, sixth officer of the H.C.'s ship *Duchess of Athol*.

29. At Macao, whither he had come for the recovery of his health, Graham Mackenzie, Esq., of Singapore, partner in the firm of Messrs. Mackenzie and Co.

Lately. At Macao, the slave woman to whom Mrs. Meirap left 40,000 dollars. She died intestate, so that all her property falls to the senate.

**Polynesia.**

## SANDWICH ISLANDS.

The accounts brought from the Sandwich islands are very gratifying. Commerce seems to improve, and with it we hope the civilization and comfort of the people will keep pace.

A chief has lately arrived here (Canton) in the brig *Isore*, who was one of the attendants of the late king and queen during their visit to England. He is said to have come to China with the object of establishing a trade between the Sandwich Islands and the Celestial Empire.

The inclination which has been evinced by the natives of these isles to visit distant countries speaks highly in favour of their mental capacities, and displays a spirit of research and adventure which in time must exalt them to a community of considerable interest.—*Canton Reg.*, Nov. 3.

## PITCAIRN'S ISLAND.

The most recent accounts received at

Valparaiso from Pitcairn's Island, describe that little colony as existing in great harmony, and in full contentment with its produce. That which is now grown upon it is plantain, bananas, cocoa-nuts, bread-fruit, sugar-cane, potatoes, ginger, and a plant from which a spirit is distilled. The number of individuals who landed from the *Bounty* was nine Englishmen; and of natives from Otaheite and Tabouis, six men, twelve women, and one child. The population now comprises of English males and their descendants, thirty-eight; twenty-six females descended from the same nation, and five females, natives of Otaheite. It is a remarkable fact, that not one individual who landed with Christian, not numbered now with the living, met with a natural death; each arrived at an untimely end, by assassination or other violence, the fruits of internal broils in this little community. The offspring of Christian are represented to be very handsome, their features strongly partaking of the English; the beauty of one of them, a girl named Mary Ann Christian, for which she is termed "the maid of the South Seas," is said to invite the same admiration which is offered to the most favoured of our own fair countrywomen. Their habitations, which are thirty feet in depth and twelve feet wide, are constructed with boards. It is computed that the island is sufficiently extensive to afford, by culture, maintenance for its inhabitants, allowing for their increase, for at least 100 years. An American, the only stranger among them, had landed lately and settled there. He is a carpenter, and one likely to be of the greatest utility to them. He had already begun to teach them to build, and to enjoin them to acts of industry (a work in which he had been very successful), and had established a school for the children. John Adams was in good health, but rather infirm from age. He expressed a desire to return to his native land.—*Hampshire Telegraph*.

**SUPPLEMENTARY INTELLIGENCE.****Calcutta.****MILITARY APPOINTMENTS, PROMOTIONS, &c.**

*Fort William*, Oct. 24, 1828.—Brigadier Geo. Carpenter appointed to general staff of army, with rank of brigadier-general, from 7th Nov., v. Maj. Gen. Dick, whose regular tour on staff expires on that date.

Lieut. Col. J. Auriol, invalid estab., to command Agra provincial bat., v. Wrottesley placed at disposal of Com.-in-chief.

Lieut. Wm. Smith, 57th N.I., to assist Capt. Neufville in his civil duties in Assam, and to do duty with Assam light infantry corps.

Cadets of Infantry C. A. Morris, J. T. Bush, J. C. Thompson, H. Watson, R. D. Kay, Wm.

Bridge, H. C. Airey, J. H. Burnett, Jas. Grant, H. A. Reid, and R. S. Simpson, admitted on establishment, and prom. to ensigns.

Mr. James Mac Rae admitted on establishment as an assist. surgeon.

Mr. Isaac Bicknell admitted on establishment as a veterinary surgeon.

*Head-Quarters*, Sept. 29, 1828.—Ens. J. Munro to act as adj. to left wing of 21st N.I., v. Farmer app. adj. to regt.; dated 18th Sept.

Lieut. K. Young, 50th N.I., pronounced by examiners of College of Fort William to be fully qualified for discharge of duties of an interpreter in a native corps.

Lieut. J. P. Wade, 13th regt., Ens. R. T. Sandeman, 12th regt., and Ens. W. B. Thompson, 67th regt. N.I., declared, by station committees of exami.

examination, to be fully qualified for discharge of duties of interpreter in a native corps.

Surg. C. B. Frances app. to 66th N.I., and Surg. H. F. Hough removed from 60th to 71st do.

Assist. Surg. T. C. Elliot, when relieved from his present duty, directed to proceed to Meerut, and to place himself under orders of superintend. surgeon.

Cornet F. J. Harriott removed from 10th and app. to do duty with 3d L.C. at Keitah.

Sept. 30.—Ens. O. Vincent app. to do duty with 13th N.I., at Dinapore, instead of 60th regt., as formerly directed.

Ens. R. McKean, doing duty with 43d, removed to 14th N.I., at Delhi.

Oct. 3.—Assist. Surg. W. Bell app. to Kemaon local bat., but directed to do duty, until further orders, with left wing of 23d N.I. at Moradabad.

Ens. W. Loveday app. to do duty with 37th N.I. at Kurnaul.

Riding Master P. Coleman posted to 2d brigade horse artillery.

Oct. 6.—45th N.I. Lieut. K. Campbell re-appointed to be interp. and qu. master.

67th N.I. Ens. W. B. Thompson to be interp. and qu. mast., v. Maclean resigned.

30th N.I. Lieut. J. P. Wade, of 13th N.I., to officiate as interp. and qu. master.

33d N.I. Ens. R. T. Sandeman, of 12th N.I., to officiate as interp. and qu. master.

36th N.I. Lieut. P. Goldney, of 4th N.I., to officiate as interp. and qu. master.

47th N.I. Ens. H. H. Say, of 45th N.I., to officiate as interp. and qu. master.

66th N.I. Lieut. K. Young, of 50th N.I., to officiate as interp. and qu. master.

*Removals of Lieut. Col.* P. Starling, from 32d to 21st N.I.; Jas. Delamain, from 21st to 61st do.; T. P. Smith, from 61st to 8th do.; J. Nesbitt, from 8th to 32d do.

*Returned to duty from Europe.*—Lieut. C. J. C. Collins, 25th N.I.

## BIRTHS, MARRIAGES, AND DEATHS.

### BIRTHS.

Sept. 25. At Berhampore, the lady of Dr. G. Pearse, assist. surg. 37th N.I., of a daughter.

Oct. 2. At Calcutta, the lady of Lieut. Donlithorne, H.M.'s 44th regt., of a son.

14. At Chattuck, Sylhet, Mrs. D. E. Shuttleworth, of a daughter.

17. At Calcutta, Mrs. W. H. Bolst, of a son.

25. At Calcutta, the wife of Mr. W. Walker, of a son.

26. At Chinsurah, the lady of J. D. Herklots, Esq., of Jungypore, of a son.

27. At Calcutta, the lady of Mr. Charles Warden, of the pilot service, of a daughter.

— At Chowringhee, the lady of N. Alexander Esq., of a son.

### MARRIAGES.

Oct. 2. At Jutwarpoore, in Tirhoot T. B. Woolsey, Esq., to Miss Mary Ann Bhut.

19. At Calcutta, Mr. Thomas Lennon, of the Custom House, to Mrs. Anne Delanty, relict of the late Mr. James Delanty.

22. At Calcutta, Mr. Ernest Gray to Miss M. Phillips.

### DEATHS.

Oct. 4. At Allyghur, in her 47th year, Mrs. Isabella Royle, relict of the late Capt. W. H. Royle, Hon. Company's military service.

18. At Dacca, Ellen Louisa, fourth daughter of N.I. Halhed, Esq., of the civil service, aged three years.

19. At Calcutta, Sally, wife of Mr. T. Jones, aged 17.

21. At Calcutta, Mr. Mathew Bell, chief officer of the barque *Darius*, of Newcastle, aged 25.

24. At Calcutta, Mrs. Harriet Higgs, wife of

Mr. Thos. Higgs, firm of Higgs, Hunter, and Co., aged 24.

24. At Calcutta, Capt. J. Bontein, 1st Bengal L.C., aged 38.

— Mr. Charles Leonard, aged 30, the only remaining son of the Rev. O. Leonard, Baptist missionary, Dacca.

27. At Calcutta, Mr. Lewis Swaris, late an assistant to Messrs. Colvin and Co., aged 60.

Nov. 4. At Calcutta, Ann Isabella, infant daughter of the Rev. Dr. Bryce, St. Andrew's Church.

Laterly. At Surdannah, Lieut. and Qu. Mast. G. H. Jackson, 42d N.I.

## Bombay.

### CIVIL APPOINTMENTS.

#### Judicial Department.

Oct. 6. John Romer, Esq., chief judge of Sudder Dewannee and Sudder Foudary Adawlut, from 1st Nov. 1828.

Edw. Ironside, Esq., senior pulse judge of ditto.

G. W. Anderson, Esq., pulse judge of ditto.

E. H. Baillie, Esq., pulse judge of ditto.

H. H. Glass, Esq., register of ditto.

Jas. Sutherland, Esq., chief judge of the Courts of Appeal and Circuit at Surat.

Jas. Taylor, Esq., second judge of ditto.

W. John Lumsden, Esq., third judge of ditto.

Alex. Bell, Esq., officiating judge and criminal judge of Northern Comcan.

John Kentish, Esq., to resume his situation of judge and criminal judge of Surat.

9. Chas. Sims, Esq., register to Court of Appeal and Circuit at Sumat; from 1st Nov. 1828.

#### Territorial Department.

Oct. 6. Mr. Thos. Williamson, collector and magistrate of Ahmednuggur, and acting collector and magistrate of Broach, from 1st Nov. 1828.

Mr. Rich. Mills, collector and magistrate of Broach, and acting collector and magistrate of Ahmednuggur, do. do.

Mr. Edw. B. Mills, collector and magistrate of Kalra, do. do.

Mr. John Pyne, acting collector and magistrate of Poona, do. do.

9. Mr. G. M. Blair, first assistant to collector and magistrate of Poona at Sholapoor, do. do.

Mr. W. C. Andrews, first assistant to collector and magistrate of Kalra, do. do.

Mr. R. G. Chambers, second assistant to collector and magistrate of Surat and acting first assistant to ditto, do. do.

Mr. R. C. Chambers, acting second assistant to ditto, do. do.

10. Mr. G. H. Pitt, third assistant to collector and magistrate in Candesh, do. do.

#### Political Department.

Oct. 6. Mr. Jas. Sutherland, agent to governor at Surat, from 4th Nov. 1828.

9. Mr. J. W. Langford, first assistant to political agent in Kattywar, do. do.

Mr. James Erskine, first assistant to resident at Baroda, do. do.

Mr. Arthur Malet, second assistant to resident at Baroda, and acting first assistant to do., do. do.

## MILITARY APPOINTMENTS, PROMOTIONS, &c.

*Bombay Castle, Oct. 2. 1828.*—Capt. Penley, 16th N.I., to act as assist. qu. mast. gen., and to take charge of department of executive engineer at Baroda, from date of departure of Capt. Willoughby from station.

Lieut. F. H. Brown, 23d N.I., to act as adj. during absence of Lieut. French on sick certificate.

Surg. J. Walker app. to medical charge of Convalescent Hospital at Mahabuleshwer, and to a special duty there.

Oct.

Oct. 10.—Capt. G. Graham, H.M.'s 2d or Queen's Royals, to be military secretary to Hon. the Governor, from date of Lieut. Col. Frederick's app. as commissary general.

Capt. R. E. Burrows, H.M.'s 20th regt., to be private secretary to Hon. the Governor, v. Sir Alex. Campbell, Bart., proceeding to England on furlough.

Capt. J. Clarke, 22d N.I., commanding Guzerat Prov. Bat., placed at disposal of his Exc. the Commander-in-chief for regimental duty.

Capt. E. W. Jones, 3d N.I., app. to command Prov. Bat. of Guzerat.

Oct. 11.—Major R. Barnewell app. to proceed to England overland with despatches.

Oct. 13.—Assist. Surg. H. R. Elliott admitted on establishment.

2d Europ. Regt. Lieut. J. P. Cumming to be capt., and Ens. C. R. Hogg to be lieut., in suc. to Stewart dec., dated 27th Sept.

Sen. Supernumerary Ens. Rich. Jeffery to rank from 27th Sept., and to be posted to 2d Europ. regt., v. Hogg prom.

2d Europ. Regt. Lieut. H. Stiles to act as qu. mast., dated 27th Sept.

*Temporary promotions and alterations in Quart. Master General's Department.*—Capt. Willoughby, acting assist. qu. mast. gen. Guicowar subsidiary force, to resume his app. of deputy assist. qu. mast. gen. with Poona div. of army.—Capt. Neil Campbell, deputy assist. qu. mast. gen. with Malwa force, to act as assist. qu. mast. gen. with Guicowar subsidiary force.—Lieut. J. Campbell, acting deputy assist. qu. mast. gen. with Poona div. of army, to do duty with Malwa force, v. Capt.

Nell Campbell.—Lieut. Burns, deputy assist. qu. mast. gen. with Cutch subsidized force, to be attached to head-quarters of department at presidency.

Oct. 15.—Lieut. H. Fawcett, 1st L.C., to be an extra aide-de-camp to Hon. the Governor.

*Returned to duty, from Europe.*—Oct. 13. Lieut. J. Thomas, 16th N.I.

## MARINE APPOINTMENTS.

*Bombay Castle, Oct. 9, 1828.*—Lieut. E. W. Harris to officiate as general agent for transports, and to be boat-master at presidency during absence of Capt. Graham on duty in Malabar.

Lieut. E. W. Harris to succeed Capt. Graham as agent for procuring timber from Malabar and Canara.

Lieut. R. Cogan to succeed Lieut. Harris as assistant superintendent.

Lieut. R. Moresby to succeed Lieut. Cogan in survey of Concan.

## FURLOUGHS.

*To Europe.*—Sept. 25. Capt. F. D. Watkins, artillery, for health.—Oct. 4. Assist. Surg. P. Davidson, for health.—9. Capt. T. Gidley, 11th N.I., for health.—13. Capt. R. Dawson, 1st L.C., for health.

*Cancelled.*—Oct. 9. Capt. T. W. Stokoe, inv. estab., to Europe.

## INDIA SECURITIES AND EXCHANGES.

*Calcutta, Oct. 16, 1828.*

### Government Securities.

Buy.] Rs. As.		Rs. As. [Sell.
Prem. 25 8	Remittable .....	24 8 Prem.
Disc. 0 8	Old Five per cent. Loan ..	1 0 Disc.
Prem. 0 4	New 5 ditto ditto .....	0 0 Disc.

### Rates of Exchange.

On London, 6 months' sight,—to buy 1s. 10½d.  
—to sell 1s. 11d. per Sicca Rupee.  
On Madras, 30 days' ditto, 92 Sicca Rupees per 100 Madras Rupees.  
On Bombay, ditto, 98 Sicca Rupees per 100 Bombay Rupees.

*Madras, Oct. 22, 1828.*

### Government Securities.

Six per cent. Bengal Remittable Loan.

At the Rate of Subscription, viz. 350	
Madras Rs. per 335 Sa. Rs. ....	32 Prem.
At the Rate prevailing among Merchants and Brokers in buying and selling Public Securities, viz. 106½ Madras Rs. per 100 Sa. Rs. ....	30 Prem.

Five per cent. Bengal Unremittable Loan.

At the Rate of Subscription, viz. 350	
Madras Rs. per 335 Sa. Rs. ....	34 Prem.
At the Rate prevailing among Merchants and Brokers in buying and selling Public Securities, viz. 106½ Madras Rs. per 100 Sa. Rs. ....	14 Prem.

Bengal New Five per cent. Loan of the 18th Aug. 1825.

At the Rate of Subscription, viz. 106½  
Madras Rs. per 100 Sa. Rs. .... 34 Prem.

*Bombay, Nov. 8, 1828.*

### Exchange.

On London, at 6 months' sight, 1s. 8½d. per Rupee.  
On Calcutta, at 30 days' sight, 106-2 Bom. Rs. per 100 Sicca Rupees.  
On Madras, at 30 days' sight, 99 Bom. Rs. per 100 Madras Rs.

### Government Securities.

Remittable Loan, 134 to 135 Bom. Rs. per 100 S. Rs.  
Old 5 per cent.—106 Bom. Rs. per 100 Sa. Rs.  
New 5 per cent.—106 to 106½ Bom. Rs. per 100 S. Rs.

*Singapore, Nov. 8, 1828.*

### Exchange.

Gov. Bills on Bengal, per 100 Sp. Ds. 210½ Sa. Rs.  
Private Bills on ditto—none.  
Private Bills on London, per Sp. Dr. 4s. 2d.—none.

*Canton, Nov. 15, 1828.*

### Exchanges.

On London, at 6 months' sight, 4s. to 4s. 2d. per dollar.  
On Bengal, at 30 days' sight—no bills.  
On Bombay, at ditto—no bills.

## HOME INTELLIGENCE.

## MISCELLANEOUS.

CAPTAIN JONATHAN SCOTT.

(From a Correspondent.)—Jonathan Scott, Esq., was a cadet of the year 1769. In the early part of his career, he was Persian interpreter to the late Lieutenant-general Popham, and from his correct information in the hircarrah department, he was in a great degree instrumental in the capture of the celebrated fort of Gwalior, in Upper India.

On the breaking up of General Popham's detachment, Captain Scott was Persian interpreter to Colonel Jacob Carnac, and was with that officer in the signal night attack on Mahadajee Scindia's camp, and capture of the guns, provisions, and equipage, an event at that precise period so important to the English interests.

On the defection of Rajah Cheyt Sing, in 1781, Captain Scott was again interpreter to Major Popham at the capture of the stupendous fort of Bidjee Ghur; after which service he was appointed secretary to the Governor-general Warren Hastings, and continued a steady friend and confidential staff to that celebrated and faithful, but much calumniated and injured, servant of his country.

Captain Scott was the translator of Ferishta and Eradut, two most important historical works; also of the "Thousand and one Nights" from the Arabic. As an Oriental scholar it may justly be said this worthy man has left few superiors. So little encouragement, till lately, has been given to Oriental Literature, that Captain Scott had no chance of availing himself of his Persian and Arabic documents, by furnishing translations which his leisure and inclination could have enabled him to make.

It is earnestly hoped that the present Oriental institution in London, and consequent stimulus so successfully promoted by Captain Scott's old friend Mr. Colebrooke, will be attended with proportionate results. Paris, Germany, and Sweden, have furnished examples for Oriental translations and enquiry. The Court of Directors have always been ready to reward literary merit, and it is therefore to be hoped that a learned British public will not be backward in promoting India research. There are many retired servants of the three establishments of Bengal, Madras, and Bombay, who only want encouragement to exhibit valuable results of their India assiduity and acquirements.

NEW DIRECTOR.

A ballot was taken at the East-India

House on the 20th March, for the election of a director in the room of Sir George Abercrombie Robinson, Bart., who had disqualified. The candidates were Lieut. Col. Sir William Young, Bart. and Rt. Cutler Fergusson, Esq. At six o'clock the glasses were closed and delivered to the scrutineers, who reported the election to have fallen on Sir William Young. The numbers stood as follows:

For Sir W. Young.....	1020
Mr. Fergusson.....	681

Majority in favour of Sir W. Young 339

MR. WYNN'S WRITERSHIP.

*Oxford, March 19.*—The examiners appointed to recommend to the writership in India, placed at the disposal of the University by the Right Hon. C. W. W. Wynn, have announced the successful candidate to be Mr. Thos. Pycroft, under graduate commoner of Trinity College.

CAPT. DILLON.

*Paris, Feb. 26.*—In a first voyage to the Vannicolo Islands, Capt. Peter Dillon, commander of an English ship, found on those islands some remains of the shipwreck of La Perouse; and in a second voyage, undertaken at the expense of the English East-India Company, the captain procured several other articles which evidently belonged to the vessels of that celebrated navigator.

The king has been pleased to authorize Capt. Dillon to present to him the fruit of these two voyages. By producing these articles this captain has proved that he is entitled to the reward promised by the decree of Feb. 28, 1798. As it was to be expected from the East-India Company, it has renounced all claims upon this subject, notwithstanding the expense which it had been put to for this expedition, and thus the entire reward belongs to Capt. Dillon.

The king, by an ordinance of the 22d instant, conferred on this foreigner the dignity of Knight of the Royal Order of the Legion of Honour; and his Majesty, by a decision of the same day, conformable to the decree of Feb. 28, 1791, has besides granted to Capt. Dillon an indemnity of 10,000 francs for his personal expenses during the voyage, and an annual pension of 4,000 francs.

PROMOTIONS AND CHANGES  
IN THE BRITISH ARMY.\*

(SERVING IN THE FIELD.)

1st Foot. Assist. Surg. J. Richard, from 41st F., to be assist. surg., v. (F. G. Law, who rets. on h.p. 1st F. (5 Feb. 39).

2d Foot.

Corps, to be Lieut., v. W. Hunt, who rets. on h-p. Royal Staff Corps (4 Feb. 29); Lieut. (i. B. Cumberland, from Royal Staff Corps, to be Lieut., v. N. H. J. Westby, who rets. on h-p. Royal Staff Corps (5 Feb.).

6th Foot. Capt. T. S. O'Halloran, from 56th F., to be capt., v. Holyoake, who exch. (19 Feb. 29); Ens. J. Lumley to be Lieut. by purch., v. Foley prom. (20 March); W. Maude to be ens. by purch., v. Lumley (20 do.).

16th Foot. Lieut. Col. L. S. Hook, from Ceyl. Regt., to be Lieut. col., v. Bird who exch. (19 Feb. 29).

20th Foot. Lieut. C. F. Holmes to be capt. by purch., v. Gamble, who rets.; Ens. Jas. Chamber to be Lieut. by purch., v. Holmes; and Wm. Frith to be ens. by purch. v. Chamber (all 12 Feb. 29).

41st Foot. Lieut. Col. E. Purdon, from Royal Afr. Col. Corps, to be Lieut. col., v. W. F. O'Reilly, who rets. on h-p. Royal Afr. Col. Corps (29 Jan. 29).

45th Foot. Lieut. F. P. Nott, from Royal Afr. Col. Corps, to be Lieut., v. Bernard prom. (5 Feb. 29).

46th Foot. Lieut. H. Vachell, from Royal Staff Corps, to be capt., v. H. B. Mends, who rets. on h-p. Royal Staff Corps (12 Feb. 29).

48th Foot. C. Campbell to be ens., v. Wetherall, who rets. (19 Feb. 29).

51st Foot. 2d Lieut. W. O'Brien, from Royal Staff Corps, to be ens., v. W. Atherton, who rets. on h-p. Royal Staff Corps (5 Feb. 29).

97th Foot. Cadet Jos. Price to be ens., v. M'Cas-kill prom. (5 Feb. 29).

Ceylon Regt. Lieut. G. M. Parsons, from Royal Staff Corps, to be Lieut., v. McVicar, app. to 2d West-India Regt. (5 Feb. 29); Lieut. Col. H. Bird, from 16th F., to be Lieut. col., v. Hook, who exch. (19 Feb.).

Brevet. Lieut. Gen. George Earl of Dalhousie, G.C.B., to have local rank of general in East-Indies only (26 Feb. 29).

Mem. Capt. Jas. Skirrow, 48th Foot, has been allowed to resign his commission (19 April 1820).

The undermentioned cadets of the Hon. E. I. Company's service to have temporary rank as ensigns during period of their being placed at Chatham for field instructions in art of sapping and mining:

Cadets Jas. Vincent, Jos. Weller, J. N. Sharp, Jas. Bishop, Jos. Estridge, and J. H. Western (all 12 Feb. 29).

## INDIA SHIPPING.

### Arrivals.

Feb. 27. *Bahamian*, Pearce, from Bengal 5th Oct.; at Liverpool.—29. *Susanah*, De Roth, from Batavia 17th Oct.; off Dover (for Amsterdam).—March 3. *Welcome*, Paul, from Bengal 8th Oct., and Cape 19th Dec.; at Liverpool.—15. *Rapid*, Huntley, from Bengal 24th Oct., and St. Helena 8th Jan.; off Falmouth.—16. *George Cunningham*, Burstall, from Cape 4th Dec.; at Liverpool.—18. *Elice Jane*, Flah, from China 1st Nov., and Singapore 15th ditto; off Dartmouth.—19. H.C.S. *Berwickshire*, Madan, from China 20th Nov.; off Portsmouth.—19. H.C.S. *Duchess of Athol*, Daniel, from China 29th Nov., and Cape 22d Jan.; off Portsmouth.—19. *Victory*, Farquharson, from Bengal 15th Sept., and Madras 19th Oct.; off Portsmouth.—19. *Royalist*, Harris, from South Seas; in the Downs.—19. *Alexander*, Ogilvie, from Singapore 17th Sept., and Cape 6th Jan., off Portsmouth.—20. *Othello*, Thompson, from Bengal 24th Sept., and Cape 20th Dec.; at Liverpool.—20. *Adlon*, M'Leod, from Bengal 28th Sept., and Cape 30th Dec.; at Liverpool.—20. *Welcome*, Buchanan, from Mauritius 21st Dec.; at Liverpool.—20. *Crown*, Baird, from Bombay 12th May, and Cape 10th Jan.; at Gravesend.—20. *Copernicus*, Stevens, from Mauritius 15th Dec.; at Cowes.—22. H.C.S. *Dunira*, Hamilton, from China 30th Nov., Cape 16th Jan., and St. Helena 1st Feb.; at Gravesend.—22. *Mangrove*, Carr, from Bengal 19th Oct., and Mauritius 19th Dec.; at Gravesend.—22. *Mama*, Bullen, from Bengal 13th Sept., Madras 12th Oct., and Mauritius 29th Nov.; at Gravesend.—23. *Camden*, Asiatick.

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Terry, from Mauritius 29th Dec.; at Portsmouth.—23. H.C.S. *Edinburgh*, Bax, from China 21st Nov., and St. Helena 28th Jan.; off Portsmouth.—23. H.C.S. *Sir David Scott*, M'Taggart, from China 20th Nov., and St. Helena 1st Feb.; off Portsmouth.—23. *Atlantic*, Johnson, from Mauritius 15th Dec.; off Penzance.—23. *Elizabeth*, Pell, from Bengal 3d Sept., and Mauritius 18th Nov.; at Falmouth.—24. *Britton*, Ockley, from Japan; at Plymouth.—24. *Mary*, Dolson, from Bengal 20th Oct.; off Plymouth.—24. *Orynthia*, Rixon, from Batavia 4th Dec.; off Plymouth.—24. *Paris*, Neal, from Batavia 24th Nov. (for Antwerp); off Plymouth.—25. *Boddingtons*, Taylor, from N. S. Wales 2d Sept., and Cape 24th Dec.; at Plymouth.—25. *Tyne*, Brown, from the Mauritius 6th Dec.; at Plymouth.—25. *Wanstead*, Langdon, from V. D. Land 12th Oct.; off Plymouth.—25. *Noor-mahill*, Hopkirk, from Manila 6th Nov.; off Cape Clear, Ireland.—25. *Euphrates*, Buckham, from Bengal 24th Oct.; off Penzance.—25. *Ceres*, Warren, from Bombay 6th Sept., Ceylon 9th Oct., and Cape 20th Dec.; off Scilly.—26. *Chatham*, Bragg, from Bombay 25th Oct.; at Plymouth.—26. *Thames*, Warming, from Singapore 16th Nov.; off Dartmouth.

### Departures.

Feb. 24. *Palmira*, Thompson, for Madras and Bengal; from Portsmouth.—March 1. H.C.S. *Isle of Sussex*, Whitehall, for Bombay and China; from Deal.—1. *Henry*, Bunney, for Cape of Good Hope; from Deal.—1. *Integrity*, Bid-dock, for Mauritius; from Deal.—3. H.C.S. *Keltie Castle*, Adams, for St. Helena, Straits of Malacca, and China; from Deal.—3. *Admiral Benbow*, Crawford, for Madras and Bengal.—4. *Falstern*, Mould, for Mauritius; from Deal.—4. *Cleveland*, Haylock, for Mauritius and Ceylon; from Deal.—5. *Calista*, Hawkins, for Swan River, V. D. Land, and N. S. Wales; from Portsmouth.—5. *Mirando*, Dalgarno, for Mauritius and Ceylon; from Deal.—7. H.C.S. *Atlas*, Hine, for Bombay and China; from Portsmouth.—7. H.M.S. *Comet*, Sandilands, for Cape of Good Hope and East-Indies; from Plymouth.—8. *Turners*, Leader, for Bombay; from Liverpool.—9. *Austen*, Ladd, for Madras, Bengal, and Singapore; from Deal.—10. H.C.S. *Thames*, Forbes, for Madras and China; from Deal.—10. H.C.S. *Windor*, Haydock, for Madras and China; from Deal.—12. *Collingwood*, Shippe, for Batavia and Singapore; from Liverpool.—14. H.C.S. *Reptile*, Gribble, for Madras and China; from Deal.—14. *Annandale*, Ferguson, for Bombay; from Deal.—14. *Madras*, Beach, for Madeira, Cape, and Madras; from Portsmouth.—15. *Waterloo*, Addison, for N. S. Wales (with convicts); from Portsmouth.—16. *Mary*, Hamilton, for Cape of Good Hope; from Deal.—21. *Amelia Wilson*, Harris, for Buenos Ayres and Bombay; from Deal.—22. *Eagle*, Batty, for Cape of Good Hope; from Liverpool.—22. *Francess*, Heard, for Cape of Good Hope and Mauritius; from Deal.—23. *Thetis*, Gray, for N. S. Wales; from Deal.—23. *Amethyst*, Cart-hard, for V. D. Land and N. S. Wales; from Liverpool.—26. *Faith*, Willet, for N. S. Wales; from Deal.—27. *Lady Harewood*, for V. D. Land (with convicts); from Sheerness.

### PASSENGERS FROM INDIA.

Per H. C. S. *Duchess of Athol*, from China, Cape of Good Hope, &c.: J. T. Bigge, Esq., H.M. Commissioner, from the Cape; Col. T. Stewart, Madras establishment, from ditto; Master F. Hawkins, from ditto; Master H. Gover, from Macao; four Christian Chinese (Josephus, Francis, Joannes Baptiste, and Matthews), from Macao, proceeding to the Propagandi College, Rome; several servants.

Per H. C. S. *Berwickshire*, from China, &c.: Mrs. James, widow of the late Lord Bishop of Calcutta; her child, and one female servant; Rev. S. H. Knapp, his late Lordship's chaplain; Capt. G. Welstead, Hon. Company's service; two native servants.

Per *Welcome*, from Bengal: Mr. H. Waddington.

Per *Victory*, from Bengal: Mrs. Valpy; Mrs. Young; Mrs. Farquharson; Jas. Marjoribanks, Esq.; civil service; W. H. Valpy, Esq., ditto; G. A. Young, Esq., barrister; Lieut. Farquharson, Bengal N.I.; two Misses Valpy; Miss Lewis; Miss Farquharson.—From Madras: Mrs. H. Russell;



sell; Lieut. Col. Otto; Madras cavalry; Major Russell, ditto; Dr. Johnson; Madras medical establishment; Capt. Bennett, 1st Royals; Lieut. Elton, 13th L. Drags.; Miss M. A. Russell; Miss Johnson; Master Johnson; two Masters Hitchens; 29 invalids H.M.'s service.

*Per Fame*, from Bengal: Mr. Rich. Priest, pilot service.

*Per Othello*, from Bengal: Capt. Festing, Bengal infantry; Mrs. Festing; two Misses Festing; Mr. and Mrs. Plumb; Miss Eliza and Master Samuel Plumb; Lieut. Donnithorne, H.M.'s 44th Foot; Mr. Jas. Donnithorne; Lieut. Stratfield, Bengal infantry.

*Per Mangia*, from Bengal, &c.: Mr. Dawson, from New South Wales.

*Per Albion*, from Bengal: Mrs. Gisborne; Mrs. Lewen; two Misses Greig; Miss Lewen; Mr. Gisborne; Lieut. Garret; Lieut. G. A. Lewen; Lieut. Roebuck; Lieut. Knyvett; two Masters Gisborne.

#### PASSENGERS TO INDIA.

*Per H. C. S. Duke of Sussex* (sailed 1st March) or Bombay: Lieut. Col. G. B. Brooks, H.C.'s service; Mrs. Brooks, wife of ditto; Capt. C. Benbow, H.C.'s service; Lieut. E. P. Brett, ditto; Messrs. Geo. J. D. Milne and J. B. Woodman, cadets; Mr. A. H. Gardner, volunteer Bombay marine; Mr. J. H. Whitehead, proceeding to Singapore, via Bombay; Mrs. Walker, wife of Lieut. Walker; Mrs. Rawlings, wife of Ens. Rawlings; Capt. Masters, Lieut. Ogilvie, and Cornet Paxton, all of H.M.'s 4th Light Drags.; Ensign Stirling, H.M.'s 3d Foot; Lieut. Walker, Ens. Home, Ens. Jekyll, and Ens. Ottery, all of H.M.'s 6th Foot; Lieut. Creagh, Ens. Dalgetty, Ens. Cooke, Ens. Crawley, and Ens. Brock, all of H.M.'s 20th Foot; Lieut. M'Duff, Lieut. McKenzie, Lieut. Elliot, Lieut. Stanley, Lieut. Connor, Ens. Keane, Ens. Burrell, and Ens. Rawlings, all of H.M.'s 40th Foot; 101 soldiers belonging to H.M.'s 4th L. Drags., 2d Foot, 6th Foot, 20th Foot, and 40th Foot; 12 soldiers' wives; 12 children belonging to ditto.

*Per H. C. S. Keltie Castle* (sailed 3d March), for St. Helena, &c.: Mr. W. B. Leggett, writer, returning to his duty at St. Helena; Mr. S. Whitaker, surgeon, returning to his duty at Penang; Mrs. Whitaker, wife of ditto; Barbara Boynton, a native of St. Helena; several recruits for Company's service.

*Per H. C. S. Thames* (sailed 10th March), for Madras: Mrs. E. A. Wallace, proceeding to her friends; Maj. C. A. Elderton, H.C.'s service, returning; Lieut. F. W. Hoffman, ditto; Lieut. W. H. Trollope, ditto; Dr. W. H. Cottle, assist. surg.; Messrs. H. Birley, J. N. Warrington, and T. C. Colebrooke, cadets; Major the Hon. R. Murray and Capt. Stewart, both of H.M.'s 54th Foot; Lieut. Carmichael, Ens. May, Ens. Hamilton, Ens. Harnett, Ens. Donaldson, and Ens. Fry, all of H.M.'s 41st Foot; Ens. Dalton, H.M.'s Royals (2d bat.); Paymaster Iverson, of H.M.'s 46th Foot; nine privates as servants to officers; 100 privates belonging to H.C.'s service; seven soldiers' wives; two children of ditto.

*Per H. C. S. Windsor* (sailed 10th March), for Madras: Lieut. T. A. J. Longworth, H.C.'s service, in charge of recruits; Messrs. J. F. Vincent, C. T. Plummer, and E. W. S. Scott, cadets; Mr. C. C. Linton, assist. surg.; Mr. H. Smeath, free merchant; Lieut. Thompson and Lieut. French, both of H.M.'s 26th Foot; Lieut. Mellis, Ens. Grey, and Ens. Tench, all of H.M.'s 45th Foot; Lieut. King, Ens. Tidy, and Ens. Phibbs, all of H.M.'s 48th Foot; Ens. Mello, Ens. Calder, Ens. Wheeler, Ens. Vane, and Ens. Brown, all of H.M.'s 54th Foot; 13 privates for H.M.'s regts.; 120 recruits for H.C.'s service; 8 soldiers' wives; 1 child.

*Per H. C. S. R. pulze* (sailed 14th March), for Madras: Messrs. R. M. North, F. Torrens, J. Hacking, and G. Harvey, cadets; Mr. A. Forde, free merchant, for Bengal; Mr. G. B. Garrow, a native of Madras; Lieut. Col. Sir E. Miles, Lieut. Hewson, Lieut. Collins, Lieut. Dowdall, Ens. Griffiths, and Ens. Hay, all of H.M.'s 80th Foot; Lieut. Sergeant and Cornet Walker, both of H.M.'s 13th L. Drags.; Lieut. Green, H.M.'s 40th Foot; 100 soldiers for H.M.'s regts.; 10 soldiers' wives; 7 children of ditto.

*Per Palmira*, for Madras and Bengal: Mrs. Faue; Miss Bradden; Messrs. Hamilton, Fleetwood, Neuberry, White, Bodington, Scott, Shaw, Omaney, Maltby, Horsburgh, Smith, Long, Ritson, Eyehew, Wardropper, Tysen, Cotton, Beauchamp, Shalrp, Bell, and Pereira.—For the Cape: Major Hartley and lady; Mr. Thompson; Mr. Van Reenen.

#### BIRTHS, MARRIAGES, AND DEATHS.

##### BIRTHS.

Feb. 10. At Charlton, Sunbury, the lady of Lieut. Colonel Forrest, of a daughter.

March 13. At Edinburgh, the lady of Lieut. Col. Com. W. D. Knox, Hon. E. I. Company's service, of a son.

20. At Norton Cottage, Tenby, the lady of Lieut. Colonel Voyle, of a daughter, being her 13th child.

21. Mrs. Thornton, of Bennet Street, Great Surrey Street, of a daughter.

24. The wife of Lieut. T. A. Watt, R.N., commander of the private East India ship *Cesar*, of a daughter.

##### MARRIAGES.

Feb. 4. At Brighton, Joseph Chulow, Esq., of Echingham, Sussex, and of the Madras civil service, to Emily Catherine, second daughter of Francis Robertson, Esq., of 'l'icolle, Derbyshire, and of Regency Square, Brighton.

March 10. At St. George's Church, Hanover Square, Capt. H. Bentinck, Coldstream Guards, youngest son of Maj. Gen. John Charles and Lady Jemima Bentinck, to Rebecca Antoinette, daughter of Admiral Sir J. H. Whitshed, K.C.B.

12. At Mitcham, Wm. Seymour, Esq., one of H.M.'s Judges of the Supreme Court of Judicature at Bombay, to Sarah Lydia, eldest daughter of the late Lieut. Gen. Sir Henry Oakes, Bart., of Mitcham Hall, county of Surrey.

25. At St. Pancras New Church, Jas. Cockburn, Esq., of Devonshire Square, to Madeline Susan, eldest daughter of John Dunlop, Esq., Tain, Rosshire, and niece to Sir Thos. Wallace Dunlop, Bart.

##### DEATHS.

Feb. 11. At Shrewsbury, aged 76, Jonathan Scott, Esq., formerly captain in the Bengal army, and Persian secretary to the late Warren Hastings, when Governor-general of India.

26. Mr. Peter Contencin, of the East-India House, aged 47.

March 3. At Hampstead, Jane Harriet Casement, widow of the late Thos. Casement, Esq., of the Hon. E. I. Company's service.

6. In Hanover Street, Hanover Square, Colonel Sir Robert Barclay, K.C.B., of the Hon. E. I. Company's Madras establishment, in his 71st year.

7. At Edinburgh, Dr. James Gordon, surgeon Bengal army.

— In Tenterden Street, Hanover Square, Colonel T. Coke, of the Hon. E. I. Company's Madras establishment, aged 76.

10. On Lambeth Terrace, Capt. Henry Bullock, late of the Hon. E. I. Company's service.

26. At New Lodge, Reigate, Surrey, Colonel John Nuthall, of the Bengal cavalry.

— At Hastings, Anne Elizabeth, relict of the late Capt. Peter Rolland, of the Hon. E. I. Company's service.

— Late, At Brighton, the Dowager Countess of Minto.

— At sea, on board the H.C.'s ship *Sir David Scott*, Mr. Andrew Lyne, assistant surgeon of that vessel.

— At St. Helena, on his way to England, Capt. Wm. Bowe, 16th regt. Bengal N.I.

#### GOODS DECLARED FOR SALE AT THE EAST-INDIA HOUSE.

For Sale 14 April—Prompt 10 July.

Company's and Licensed.—Judges.

# PRICE CURRENT, March 27.

## EAST-INDIA PRODUCE.

	£. s. d.	£. s. d.
Coffee, Java ..... cwt	1 17 0	2 2 0
Cheribon .....	1 17 0	2 3 0
Sumatra .....	1 14 0	1 18 0
Bourbon .....		
Mocha .....	3 8 0	5 18 0
Cotton, Surat .....	0 0 4	0 0 5
Madras .....	0 0 4	0 0 5
Bengal .....	0 0 4	0 0 5
Bourbon .....	0 0 6	0 0 9
Drugs & for Dyeing.		
Aloes, Epatica ..... cwt	10 0 0	14 0 0
Aniseeds, Star .....		
Borax, Refined .....	2 18 0	3 0 0
Unrefined, or Thincal	3 10 0	
Camphire .....	6 18 0	7 0 0
Cardamoms, Malabar .. lb	0 10 6	0 11 0
Ceylon .....		
Cassia Buds .....	6 10 0	7 0 0
Lignea .....	4 4 0	4 15 0
Castor Oil .....	0 1 0	0 2 0
Dragon's Blood .....	3 0 0	26 0 0
Gum Ammoniac, lump ..	2 19 0	5 0 0
Arabic .....	1 5 0	3 10 0
Assafetida .....	1 0 0	4 0 0
Benjamin .....	2 0 0	30 0 0
Anini .....	3 0 0	12 0 0
Gambogium .....	20 0 0	26 0 0
Myrrh .....	4 0 0	16 0 0
Olibanum .....	2 0 0	5 10 0
Kino .....	5 0 0	12 0 0
Lac Lake .....	0 1 0	0 2 0
Dye .....	0 3 6	0 3 8
Shell .....	3 18 0	5 5 0
Stick .....	3 0 0	4 0 0
Musk, China .....	1 5 0	
Oil, Cassia .....	0 0 4	
Cinnamon .....	0 17 0	
Cloves .....	0 0 6	0 0 8
Nutmegs .....	0 2 9	0 3 2
Opium .....	0 1 0	0 5 0
Rhubarb .....	3 10 0	
Sal Ammoniac .....	0 0 9	0 2 0
Senna .....	1 6 0	1 9 0
Turneric, Java .. cwt	1 0 0	1 5 0
Bengal .....	1 15 0	1 16 0
China .....	3 0 0	4 0 0
Galls, in Sorts .....	3 13 0	4 0 0

	£. s. d.	£. s. d.
Indigo, Blue .....		
Blue and Violet .....	0 9 9	0 10 3
Purple and Violet .....	0 9 0	0 9 6
Violet .....	0 7 6	0 8 9
Violet and Copper .....	0 7 0	0 8 0
Copper .....	0 6 9	0 7 9
Consuming sorts .....	0 5 0	0 7 3
Oude good and fine ..	0 4 9	0 7 0
Do. ord. and bad .....	0 3 6	0 4 6
Low and bad Oude .....		
Madras extra fine .....	0 7 6	0 7 9
Do. ord. to fine .....	0 3 6	0 6 0
Rice, Bengal White .....	0 12 0	0 14 0
Patna .....	0 15 0	1 0 0
Safflower .....	1 10 0	9 0 0
Sago .....	0 14 0	1 10 0
Silk, Bengal Skein .....	1 5 0	1 10 0
Novi .....		
Ditto White .....		
China .....		
Spices, Cinnamon .....	0 5 0	0 8 3
Cloves .....	0 2 0	0 2 3
Mace .....	0 4 0	0 5 2
Nutmegs .....	0 3 2	0 3 4
Ginger .....	0 17 0	0 17 6
Pepper, Black .....	0 0 3	0 0 4
White .....	0 0 6	0 0 7
Sugar, Bengal .....	1 10 0	2 0 0
Siam and China .....	1 7 0	1 0 0
Mauritius .....	1 0 0	1 18 0
Tea, Bohea .....	0 1 5	0 2 0
Congou .....	0 2 1	0 3 6
Souchong .....	0 3 1	0 3 8
Campoi .....	0 2 1	0 3 6
Twankay .....	0 2 3	0 3 7
Pekoe .....	0 4 2	0 4 6
Hyson Skin .....	0 2 3	0 3 0
Hyson .....	0 3 9	0 5 9
Young Hyson .....		
Gunpowder .....		
Tortoiseshell .....	1 12 0	2 14 0
Wood, Sanders Red .....	9 0 0	10 0 0

## AUSTRALIAN PRODUCE.

Oil, Southern .....	tun 29 0 0	32 0 0
Sperm .....	78 0 0	
Head Matter .....	80 0 0	
Wool .....	lb 0 1 3	0 5 0
Wood, Blue Gum .....	ton 0 0 4	0 0 6
Cedar .....	0 0 7	

## DAILY PRICES OF STOCKS, from 26 February to 25 March.

Jan.	Bank Stock.	3 Pr. Ct. Red.	3 Pr. Ct. Consols.	3 Pr. Ct. Consols.	3 Pr. Ct. Red.	N. 4 Pr. C. Ann.	Long Annuities.	India Stock.	India Bonds.	Exch. Bills.
26	211	87 1/8	86 1/8	96 1/8	96 1/8	101 1/8	101 1/8	19 1/2	—	63 68p
27	211 1/2	87 1/8	86 1/8	96 1/8	96 1/8	101 1/8	101 1/8	20 1/2	55 58p	56 63p
28	211 1/2	87 1/8	86 1/8	96 1/8	96 1/8	101 1/8	101 1/8	19 1/2	55p	55 60p
Mar.										
2	211 1/2	87 1/8	86 1/8	96 1/8	96 1/8	101 1/8	101 1/8	19 1/2	229	52 55p
3	210 1/2	89 1/8	86 1/8	96 1/8	96 1/8	101 1/8	101 1/8	—	41 44p	48 53p
4	—	86 1/8	86 1/8	95 1/8	95 1/8	101 1/8	101 1/8	—	44p	45 52p
6	—	—	86 1/8	—	—	101 1/8	101 1/8	—	47 48p	52 53p
7	—	—	86 1/8	—	—	101 1/8	101 1/8	—	47 49p	53 56p
9	—	—	86 1/8	—	—	101 1/8	101 1/8	—	—	54 57p
10	—	—	86 1/8	—	—	101 1/8	101 1/8	—	47 48p	53 57p
11	—	—	86 1/8	—	—	101 1/8	101 1/8	—	—	53 56p
12	—	—	86 1/8	—	—	101 1/8	101 1/8	—	46p	54 56p
13	—	—	86 1/8	—	—	101 1/8	101 1/8	—	—	53 49p
14	—	—	87 1/8	—	—	101 1/8	101 1/8	—	46 47p	52 56p
16	—	—	87 1/8	—	—	101 1/8	101 1/8	—	46 48p	52 56p
17	—	—	87 1/8	—	—	101 1/8	101 1/8	—	—	52 56p
18	—	—	87 1/8	—	—	101 1/8	101 1/8	—	—	52 56p
19	—	—	87 1/8	—	—	101 1/8	101 1/8	—	—	53 56p
20	—	—	87 1/8	—	—	101 1/8	101 1/8	—	—	53 56p
21	—	—	87 1/8	—	—	101 1/8	101 1/8	—	47 48p	53 55p
23	—	—	87 1/8	—	—	101 1/8	101 1/8	—	47 48p	53 56p
24	—	—	87 1/8	—	—	101 1/8	102	—	—	54 57p
25	—	—	—	—	—	—	—	—	—	—

E. Errol, Stock Broker, 2, Cornhill, and Lombard Street.

# EAST-INDIA COMPANIES SHIPS, of the Season 1828-9, with their Managing Owners, Commanders, &c.

Ships.	Tons.	Managing Owners.	Commanders.	First Officers.	Second Officers.	Third Officers.	Fourth Officers.	Surgeons.	Purchs.	Consignments.	To be Afloat.	To sail on.	To be in the Dock.	When Sailed.
2 Buckinghamshire	1367	Company's Ship	R. Glaspoole	J. Hillman	Thos. Alchin	H. Cayley	C. W. White	A. Johnstone	R. G. Lancaster	Bombay & China	1828.	1828.	1828.	1828.
3 Bedfordshire	1274	John Locke	Wm. Hope	E. Ford	R. Card	J. R. Lancaster	J. D. Hosman	J. Thomson	E. Crowfoot	Bombay & China	31 Nov	7 Dec.	19 Jan	9 Jan.
4 Bridgewater	1274	James Sims	J. B. Manderson	W. H. Walker	C. S. Rawtree	Wm. Teller	F. Sims	G. Graham	J. Cract	Bombay & China	31 Nov	7 Dec.	19 Jan	11 do.
5 Lady Morda	1263	O. Wigram	R. Clifford	R. Clifford	Wm. Lewis	T. Littlejohn	H. Walford	T. Foulerton	W. Clifford	Bombay & China	31 Nov	7 Dec.	19 Jan	11 do.
6 General Kyd	1266	R. Small	Samuel Serle	R. Applin	A. H. Crawford	John Donett	John B. Down	F. P. Alley	B. B. Lort	St. Helena, Bomb.	8 Dec.	31 Dec.	26 do.	26 do.
7 Forthampton	1266	J. C. Lochner	J. Cruickshank	R. Jobling	G. Lloyd	J. G. Murray	T. Rennie	J. B. Rennie	F. A. Halpin	Bombay & China	8 Dec.	31 Dec.	26 do.	26 do.
8 Ingles	1268	R. Borradaile	J. Duthman	P. Herbert	W. B. Coles	Jas. Mowat	John Garner	John Lawson	R. M. Lawrence	Bombay & China	8 Dec.	31 Dec.	26 do.	26 do.
9 Duke of York	1267	S. Marjoribanks	R. Locke	G. Ireland	J. Thomson	Dudley North	H. L. Bayley	M. Mackenzie	W. E. Browne	Bombay & China	8 Dec.	31 Dec.	26 do.	26 do.
10 Hythe	1263	S. Marjoribanks	G. C. Arbutnot	H. B. Avarne	H. H. Isaacson	C. K. Johnstone	Wm. T. Dry	R. Alexander	D. Grassick	Bombay & China	8 Dec.	31 Dec.	26 do.	26 do.
11 Duke of Sussex	1261	S. Marjoribanks	W. H. Whitehead	John D. Orr	Basil W. Mure	C. Macrae	T. Onslow	John Sim	C. D. Morsan	Bombay & China	8 Dec.	31 Dec.	26 do.	26 do.
12 Atlas	1267	C. O. Mayne	John Hine	H. Bristow	John Vaux	C. Hawkins	C. Morgan	R. Murray	W. Gallagher	Bombay & China	8 Dec.	31 Dec.	26 do.	26 do.
13 Kellie Castle	1332	Geo. Reed	E. L. Adams	R. Patullo	Francis West	W. S. Stockley	J. Hamilton	John Culken	J. White	St. Helena, Stra.	1828.	19 do.	24 do.	2 do.
14 Thomas	1330	H. Blinshard	J. K. Forbes	Chas. Penny	Wm. Clark	John M. Favell	Wm. Radd	A. J. Will	F. P. Cockrell	Madras & China	19 Jan	3 Feb.	12 Mar	10 do.
15 Windsor	1335	Geo. Clay	T. Havaside	W. MacNair	Mark Clayton	R. E. Warner	Penj. J. Elder	Joseph Docker	F. Jenkins	Madras & China	19 Jan	3 Feb.	12 Mar	10 do.
16 Repton	1334	John F. Timins	H. Gribble	W. R. Blakely	A. C. Watling	G. S. Hirst	H. Baker	Wm. Scott	N. G. Glass	Madras & China	19 Jan	3 Feb.	12 Mar	10 do.
17 Waterloo	1325	Company's Ship	D. R. Newall	H. R. Blakely	F. Hedges	T. Peckman	C. Evans	J. Halliday	A. F. Dare	China	19 Jan	3 Feb.	12 Mar	10 do.
18 Vinsent	1278	Joseph Hare	J. B. Burnett	Peter Pilcher	A. C. Barclay	John Duncan	J. Campbell	J. W. Wilson	J. Ellis	China	19 Jan	3 Feb.	12 Mar	10 do.
19 Seely's Castle	1242	Company's Ship	J. B. Burnett	Peter Pilcher	A. C. Barclay	John Duncan	J. Campbell	J. W. Wilson	J. Ellis	China	19 Jan	3 Feb.	12 Mar	10 do.
20 Leather Castle	1247	Matthew Jacke	G. K. Bathie	J. Giborne	Thos. Addison	J. Hayward	R. Barton	John Lester	Thos. Storey	China	19 Jan	3 Feb.	12 Mar	10 do.
21 Charles Grant	1274	Wm. Moffat	R. H. Everest	J. Coates	C. A. Eastman	J. H. Leaver	A. Burnell	Wm. Scott	F. Palmer	China	19 Jan	3 Feb.	12 Mar	10 do.
22 Thomas Grenville	1266	Company's Ship	Chas. Shea	R. Robson	J. Crozier	A. Urnston	B. Mackenzie	Adam Elliot	J. Adams	Madras & Bengal	19 Jan	3 Feb.	12 Mar	10 do.
23 Minerva	976	Geo. Palmer	G. Probyn	Jas. Dryner	C. Ingram	A. Tudor	B. Littlehales	Wm. Chatter	J. E. Markland	Madras & Bengal	19 Jan	3 Feb.	12 Mar	10 do.
24 Princess Charlotte	978	C. B. Gribble	C. B. Gribble	C. W. Franken	David Hesse	C. B. Gribble	C. J. Delvalle	R. M. Chitcock	W. H. Hunt	Bombay	18 Apr.	2 May	5 June	5 June
25 Mercurius of Wallington	961	H. Bonham	A. Chapman	R. B. Shittler	J. arks	W. Lidderdale	—	Wm. Winton	Rich. Binks	Bombay	18 Apr.	2 May	5 June	5 June

# THE ASIATIC JOURNAL

FOR  
MAY, 1829.

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## Original Communications,

*&c. &c. &c.*

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### ON MR. MILL'S "HISTORY OF BRITISH INDIA."\*

Is there not some pretence, or rather is there not a great deal of imposture, lurking in the phrase "philosophical history?" Universal consent has conferred upon Tacitus the praise of being a philosophical historian; but the distinction thus unanimously awarded to that most profound of thinkers, rests on grounds essentially different from those on which several of our modern writers of history affect to claim it. It is true, that a great quantity of what is usually called philosophy may be found in Tacitus; but then there is little or no philosophizing in him, there being a most marked difference between a philosopher who writes history, and an historian who affects philosophy. Not a passage in his invaluable writings will reveal (for it is idle to father on him the dissertation upon eloquence) the school, or sect, or hypotheses, to which he had addicted himself. He was neither of the Porch, nor of the old or new Academy. He was a student of the world, and of the living agents, endowed with "thoughts and purpose," by whom it is peopled. He was a philosopher only in the same sense in which Shakspeare is so often set down for a philosopher, conceiving and executing his task with the advantages of the deepest intuition into our unhappy nature, and a familiar knowledge of the passions that agitate it: so much so, that there is not an obliquity, or weakness, or seeming problem, in human conduct, which he is not instantly prepared to try by the test of those fixed rules, which, in spite of apparent anomalies, invariably govern it. Hence, most probably, it is, that critics have objected to him a sort of coldness and neutrality in his narration of the most atrocious cruelties of imperial despotism; hence too the effort with which he seems to repress the burstings of his own bosom, the mastery he strives to retain over his own struggling indignation, hinting rather than uttering it, as if he were afraid lest he should goad his readers to phrenzy. Yet, whilst, by virtue of this transcendent

\* The reader will find, in vol. xxv. p. 596, the commencement of a series of Observations on Mr. Mill's History of British India. The design, which was interrupted by the engagements of the writer, we regret to add, is not likely to be completed. It was calculated to be of great utility, not only to the readers of Mr. Mill's history, but to a future historian of India.

endant skill in human dealings, he is justly entitled to be classed among the philosophical historians (what but the most profound philosophy could have taught him how to sound the gloomy depths of a mind like that of Tiberius, or to clothe with the graces of a philosophical romance a delineation of the rude tribes of ancient Germany?); still his aphorisms (*γνῶμα*), welling forth from the most exuberant fountains of thought; his pieces of sententious wisdom, both civil and moral; the gems that occasionally enrich and inlay his pages;—these are so sparingly and prudently interposed, that, judging by the few fragments of his genius which time has spared to us, it would be doing him gross injustice, to assign him a place amongst the writers who style themselves philosophical historians; a class of gentlemen, in whose hands history is little else than a disquisition blending fact and speculation, narrative and hypothesis, in the most crude and unharmonizing proportions.

It is true, as Gibbon somewhere remarks, that mere facts, in the eyes of a philosopher, constitute the least interesting part of history; but true only as it regards philosophers: for as historical readers are not always philosophers, a philosopher, when he condescends to write history, would do well to consider, that to the greater part of those who consult or study history, facts alone are interesting; and in spite of all the proud pretensions of philosophical historians, they who are attracted to history merely by the facts it relates, and can combine and collate the few simple reflexions they suggest, those readers, in short, whose intellectual digestion is sufficiently free and healthy to convert what they read into aliment, will derive from the most naked chronicle, if it be an honest and unbiassed relation of events, a sounder wisdom and a body of more instructive inference, than from those histories, or as the French term them, *Essais sur l'Histoire*, in which the author marches before you with his Sybilline wand, expounding and lecturing every inch of the way, and presenting facts in forced combinations, or under artificial colourings, to support his own pre-conceived theory. In truth, the old and beaten road to historical knowledge, through a plain narration of facts, is the shortest and the safest. It is certain that thus only can history afford a sure and wide induction for opinions, and be, what it assuredly ought to be, a written experience, a school of events, which trains and anoints the mind for its exercises in the living world of thought and action; or, to use the words of Lord Bacon, "it is thus only that men will be taught to judge of particulars one by one, and ascend to the general counsels and marshalling of affairs."

Mr. Mill, our most recent historian of British India, by calling his work "A critical History," apparently places it in a new order of historical composition; but it will be found, on examination, to be a variety only of those historical disquisitions, in which the narrative is repeatedly broken or suspended by speculative inquiries. It is a course which is liable to the most serious objections. It offers so inviting an opportunity of diverting history from its direct channel, and making it subservient to some of the creeds or dogmas which are for ever starting up amongst ingenious men, and both philosophy and history fare so ill from the confusion of their several and distinct provinces, that it would be a most injurious precedent to admit works, constructed on such a principle, into the class of rightful histories. When we consult the history of a certain period, or country, or nation, we consult it for the elucidation of the transactions with which that history is conversant; but how imperfectly are these transactions impressed by the author, how faintly remembered by the student, if they are placed in constant juxta position with facts gleaned from the collective history of man, in order to supply a strained

a strained and remote analogy favourable to the opinions of a sect. A voluminous book, conducted upon such a plan, may be amusing, but cannot be useful to the reader, who expects, and is entitled to, a continuous narrative of the events and agents belonging to that portion of history to which his attention is directed. Nor is the objection, as it affects the history of British India, much diminished by the tone and character of Mr. Mill's philosophy. It is true that Mr. Mills has judiciously avoided the repulsive and unintelligible language of Bentham, and as he scatters his aphorisms about him, translates them into the language of society and good-breeding; but with all his suavity, both of mind and manner, is not Mr. Mill too often betrayed, probably by the strength of his convictions, into the same philosophical intolerance, and into a style of censure, and of contemptuous and unsparing rebuke, of which the utmost that can be said in its behalf is, that it is not quite so disgusting as the more undisguised cynicism of the founder of the academy? The great characteristic of that academy is its taste for arbitrary and sweeping adjudications. A very few words do the business, and a world of reasoning or proof is saved by the arbitrary enunciation of certain *à priori* rules, to which institutions and codes and politics, and dead and living reputations, are sacrificed without mercy. Let the system of theology, or of ethics, or of jurisprudence, be what it will, it is foolishness and imposture, a juggle to keep up the old alliance of fraud and self-interest, if it does not minutely correspond with the postulates of the school. The followers of Pythagoras did not bow more implicitly to the *dicta* of their great teacher, than the admirers of Bentham to the most naked assumptions of his philosophy. No exceptions, no modifications from extrinsic circumstances, such as climate or national manners or inveterate practice, are allowed to qualify these assumptions. Whatever measure, or law, or judicature does not quadrate with them, is immediately decried as a nuisance, equally disowned by reason and adverse to happiness. Its fitness to the wants and conditions of specific communities, and the reverence and affection with which those communities may cling to them, go for nothing. Adaptations so unphilosophical are never heeded by a sect, in whose computation the dispersed inhabitants of the globe are only considered as an unit; and the whole race, into whatever societies or combinations it may be broken up, or however various may be the influences that mould and fashion it, merely as a philosophical generalization called *man*.

It can hardly be supposed that, in the hands of so zealous a Benthamite, the history of our affairs in India should have received no tincture from the characteristic dogmatism of his school, or that it should not have suffered occasional perversions, arising from the arbitrary admeasurement of counsels and public men, forms of law and questions of policy, by some of its fundamental maxims. Of these many instances may be found in the History of British India. As to the reputations of the statesmen who, at different periods, have swayed the destinies of that great member of our empire,—they are not allowed so much as the benefit of that admeasurement. A few words often in a parenthesis consign them, in the concise and most summary way imaginable, to contempt or infamy. In short, with respect to the characters of those who are enshrined in the respect and admiration of their country, Mr. Mill is an iconoclast, whose zeal for demolition is indefatigable; he throws down their statues without compunction. But surely the correct appreciation of persons, who by signal merits have deserved well of their own generation, and whose names have become a species of public property to their country and mankind, is amongst the most delicate and difficult functions of the historian, and

and ought not to be exercised with levity or rashness. Mr. Mill settles, for instance, the character of the first Lord Clive, the founder of the British empire in the East, by the shortest and most compendious process. "Clive,\* whom deception, when it suited his plan, never cost a pang," &c. In another place, "Clive,† to whose mind a certain degree of crooked artifice seems to have presented itself pretty congenially in the light of profound and skilful politics," &c. Lord Wellesley, by an ingenious, rather than a polite, circumlocution, is called a fool. It seems that Mr. Mill heartily disapproves of the whole system of British policy with regard to Tippoo Sultaun; and that neither the intrigues of that prince with the French, nor the formal embassy which he despatched to the Mauritius, invoking the aid of French troops for the avowed purpose of expelling the English from India, nor the actual embarkation of soldiers in furtherance of that object, constitutes, in Mr. Mill's eyes, sufficient evidence of a hostile mind on the part of Tippoo to justify the procedures of the Governor-General. His solitary dissent from the expediency and wisdom of Lord Wellesley's measures is thus expressed:‡ "That the Governor-General should have regarded these incidents as tokens of the hostile mind in Tippoo, was *natural*. The only material question relates to the nature of the impression, on the mind of a *wise man*, which that inference was calculated to produce." At the critical period, when it was pretty generally believed that France had cherished serious designs upon the British power in India, and no precaution to avert the danger could well be deemed unwise or superfluous, Mr. Mill condemns Lord Wellesley's interference at the court of Hyderabad, to prevent the disciplining of the Nizam's sepoys by French officers; an interference which the unphilosophical thinkers, both in India and at home, deemed at the time highly expedient. Referring to that occurrence, Mr. Mill takes the moral and intellectual measure of Lord Wellesley's mind, in the following complimentary sentence:§ "In the state of mind by which the Governor-General and Englishmen of his intellectual and moral cast were distinguished, the very existence of a Frenchman was a cause of alarm." These contemptuous phrases, which are every where random-sown in the History of British India, are not accompanied with any reasonings to prove the imbecility of the persons whose measures he disapproves, for on such occasions Mr. Mill is singularly parsimonious of reasoning. It is positive dogmatic assertion, and with this weapon, as if it were the flail of Talus, in the *Fairy Queen*, he knocks about him to the right and left, and levels to the dust names and reputations, which few before him have ventured to assail.

But the antipathy with which, in common with his sect, Mr. Mill overflows towards the jurisprudence of Great Britain, renders him so exclusively sensible to the evils, of which, in his estimation, it is productive, as to permit him to comment upon acts of atrocious cruelty with the most philosophic calmness when they are committed in other countries. Not that his feelings are naturally obtuse to the sufferings of his fellow-creatures, but that they are strangely composed and quiescent to those of his fellow-subjects. Add to this his incurable predilection for moral computations, a habit of balancing the ills of one system by the ills of another, and finding a set-off against the most outrageous barbarities in something similar or dissimilar, which may at any time have been committed by those who make the accusation. Thus the dreadful suffocation

\* *Ibid.* Brit. India, vol. II, p. 115, 4to.

† *Ibid.* vol. II, p. 250.

‡ *Ibid.* vol. III, p. 408.

§ *Ibid.* vol. III, p. 390.

suffocation of the one hundred and forty-six unhappy Englishmen in the black-hole at Calcutta, an incident that has awakened the sympathies of every historian who has made mention of it, is passed by without one phrase of commiseration. According to Mr. Mill, these poor wretches deserved their fate. Why? Let the historian of British India speak for himself. "The English had their own practice to thank for suggesting the place to the officers of the Soubahdar as a fit place for confinement."\*....."The atrocities of English imprisonment at home too naturally reconciled Englishmen abroad to the use of dungeons—of black-holes. What had they to do with a black-hole? Had no black-hole existed (as none ought to exist any where, least of all in the unwholesome and sultry climate of Bengal), those who perished in the black-hole of Calcutta would have experienced a very different fate." By this schoolboy *tu quoque* logic, the English who perished in the black-hole are made to expiate the atrocities of imprisonment in England; and their destruction by the most lingering death that can be inflicted, is held up to the youthful students of Indian history as a just retribution for the vices inherent in the jurisprudence of their native country, which sanctions personal imprisonment! By the tone and spirit, however, of Mr. Mill's animadversion, something more is insinuated, namely, that the English had made an improper use of the black-hole before they became themselves its victims. Is this strictly the fact? By no means. The place proverbially called the black-hole in all garrisons and barracks was a small room in Fort William, appropriated to the occasional confinement of refractory soldiers. There was no specific blackness in it; its blackness was purely metaphorical, nor has any instance been alleged of any life being sacrificed in it. Could it be very atrocious cruelty to shut up now and then a drunken drummer, or a mutinous corporal, in a room ventilated by a window sufficiently large, and shaded from the heat of the sun by a veranda, when the maintenance of discipline rendered such a punishment necessary? Whereas it was the crowding together one hundred and forty-six human creatures in that space, in the hottest season of a hot climate, that constituted an act of atrocity which the inventive cruelty of man has never equalled, and which has attached a traditionary horror to the spot, where our unhappy countrymen were suffered to perish rather than that the slumbers of the tyrant should be disturbed.† Mr. Mill has forced into comparison things between which there are no moral proportions whatsoever, and the whole passage is an unseemly blemish in his history. Acrimonious critics might infer from it an insensibility to suffering which, I am convinced, is quite foreign from the nature and feelings of the writer.

There are many other passages in the history of Mr. Mill which are liable to the same animadversions. The "froward retention" in Great Britain of usages and rules which the Bentham philosophy condemns, the law of imprisonment for civil debt in particular, vibrates most electrically on his sensibilities: the anomalies and abuses of English jurisprudence are enough to excite a tumult in his veins; but downright barbarity committed on his countrymen, when

\* Hist. Brit. Ind., 8vo. vol. III. p. 149.

† *Ibid.* in note.

‡ Mr. Holwell, who had placed himself at one of the windows, exhorted them to remain composed both in body and mind, as the only means of surviving the night, and his remonstrances produced a short interval of quiet, during which he applied to an old jemutdar, who bore some marks of humanity in his countenance, promising to give him 1,000 rupees in the morning, if he would separate the prisoners into two chambers. The old man went to try, but, returning in a few minutes, said it was impossible; when Mr. Holwell offered him a larger sum, on which he retired once more, and returned with the fatal sentence, that no relief could be expected because the nabob was asleep, and no one dared to wake him.—Orme, War of Bengal, vol. II. p. 74.



when they are the victims of oriental tyranny, is never carried to the *per-contra* side of the account, but produces on his nerves an effect most miraculously sedative. He professes, for instance, a perfect incredulity as to the cruelties said to have been practised by Tippoo Sultaun upon his English prisoners, or admits only, and that with some reluctance, that "their sufferings were only those of a very rigorous imprisonment;" a punishment which does not considerably wound his feelings, inasmuch as "*imprisonment is lavished upon them by their own laws!*" This singular paragraph is as follows: "But it is to be observed, that, *unless in certain instances, the proof of which cannot be regarded as better than doubtful*, their sufferings, *however intense*, were only the sufferings of a very rigorous imprisonment, of which, *considering the manner in which it is lavished upon them by their own laws*, Englishmen ought not to complain. At that very time, in the dungeons of Madras or Calcutta, *it is probable* that unhappy sufferers were enduring calamities, for debts of £100, *not less atrocious* than those which Tippoo inflicted upon imprisoned enemies, part of a nation who, by the evils they had brought upon him, exasperated him almost to frenzy, and whom he regarded as the enemies of God and man."\* The moral taste of an historian, who could gravely put forth such positions, which are equally at variance with reason and with fact, is not much to be envied. Are we to be then deprived of the mournful privilege of complaint, when we peruse the melancholy story of the sufferings inflicted by that most contemptible savage on our wretched countrymen, whom the chances of war had thrown into his power? "Yes," replies Mr. Mill, because they only suffered the hardships of a very rigorous imprisonment, and other Englishmen were, probably, at the time, imprisoned in Calcutta and Madras, who were undergoing *calamities not less atrocious* than those which Tippoo inflicted upon his captive enemies. Let the calamities, therefore, of the imprisoned debtors at those places be set off against the sufferings of the English in the dungeons of Bangalore and Seringapatam, and due deductions be made from the cruelties you impute to Tippoo, by the barbarity of your own laws and judicature. Is it by the calculations of this absurd moral arithmetic that history should pass her grave adjudications, and lay aside her wholesome severity towards foul and brutal oppressions? Only the sufferings of a very rigorous imprisonment too! And is very rigorous imprisonment nothing? A rigorous imprisonment, of which, in mode or degree of intensity and duration, Tippoo himself was the sole arbiter! Is it a fact also, that persons imprisoned by virtue of legal process in our gaols at Calcutta and Madras were suffering "*calamities equally atrocious?*" Let us look a little at Tippoo's treatment of his English prisoners. It is a matter of real historical record, not resting, as Mr. Mill insinuates, upon doubtful proof, but upon the unquestionable testimony of eye-witnesses, that many of his English prisoners he actually murdered in cold blood; "*invariably selecting,*" says Colonel Wilks,† "*the best, because he hated their valour.*" There is a mass of evidence, which has never before been called into doubt, relative to Tippoo's conduct towards the European prisoners whom he detained, in shameful violation of the treaty of 1784. It is well known that, in 1791, Tippoo, who was naturally alarmed at the advance of Lord Cornwallis towards his capital, was the more acutely sensible of the perilous condition to which he had reduced himself, from the evidence, which he knew existed, not only at Seringapatam but at other places, of his cruel treatment of those unhappy persons, and which he was conscious

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\* Hist. Brit. India, vol. vi, p. 130.

† Wilks' Hist. of Southern India, vol. III, p. 405.

had been such as gave him no claim to the clemency of the British government.

Is it not an unquestioned and unquestionable fact, that he had educated as dancers and singers \* nearly fifty English boys, the children of those English prisoners who had been inhumanly transferred to the custody of Hyder Ali by Suffrein, that despicable Frenchman, who, deaf to every remonstrance, and insensible to the gallant and humane feelings of a naval officer, delivered up to a barbarian as notorious as his son for brutal conduct towards his captives, prisoners of war, entitled to honourable treatment from an honourable enemy, and thus blotted his memory by an act of indelible shame, which the voice of the whole civilized world has condemned and reprobated? Twenty of these boys still survived in 1791, and when the British army advanced on Seringapatam, "such is the natural connexion," says Colonel Wilks, "between cruelty and fear, a secret order was issued for the murder of these unhappy youths, as the first victims, and an imperceptible succession of most of the other prisoners of the preceding war."† Precise and detailed information indeed is wanting, for individuals could hardly be expected to acknowledge their participation in such dreadful atrocities; yet it is notorious, and the English army had afterwards a strong confirmation of the fact by the digging up of some of the murdered captives, that the assassinations were executed by Abyssinian slaves, who by long practice had been trained to a barbarous expertness in dislocating the vertebræ of the neck. Only the sufferings of a very rigorous imprisonment! calamities inflicted *not more atrocious* than those inflicted by English law on debtors in the gaols of Madras and Calcutta! *Tantum rem tam negliger!* Has the historian of India overlooked, in his researches, the confinement at Bangalore of the British officers taken in the first war with Tippoo? Mackenzie,‡ who was at the fall of that place in 1791, in his description of the splendid palace erected there by Hyder, thus adverts to the sufferings of some of Tippoo's English prisoners: "On the frame of a door, in a wretched hovel adjoining this palace, the names of Gowdie and of many other British officers were carved. Here these gentlemen had been closely confined in *massy irons*, cruelly insulted, and otherwise ill-treated." Mr. Mill, indeed, avows that it is no advantage to the historian of India to have been himself "a perceptive witness" of the country about which he writes; but had he resided there a few years ago he might have learned, from the personal attestation of more than one who had actually suffered imprisonment under Tippoo, how savage and merciless it was. The general character of it may be well imagined from his ordinary treatment of the native prisoners who fell into his hands. According to the indisputable testimony of an eye-witness, upon the surrender of Hooliadroog, one of Tippoo's forts in the Mysore, "there were found in that place, amongst a number of captives bound in chains of various constructions, several who had their ankles fastened asunder by a heavy iron bar, about eighteen inches in length, and had from habit acquired a straddling amble, which when liberated they could not for a length of time alter or amend; some from having been closely pinioned could move neither arm; others had acquired a stoop from which they were unable to stand erect."§ Only the sufferings of a very rigorous imprisonment, of which Englishmen have no right to complain! Does Mr. Mill forget the imprisonment of Lieuts. Chalmers and Nash, in violation of the capitulation by which Coimbatore was surrendered by those brave officers?

\* Their dress and manner of performance resembled those of Hindoostanee dancing girls.

† Hist. South. India, vol. iii, p. 140.

‡ Sketch of the War with Tippoo Sultaun, vol. ii, p. 47.

§ Ibid. vol. ii, p. 115.

officers? Under the pretence that it was necessary that the Sultaun should ratify the treaty, the prisoners with the store-serjeant and several privates were sent, after a confinement of thirteen days, to Seringapatam, instead of being allowed to go to Poligautcherry, according to the terms of the agreement. Mr. Chalmers ventured to remonstrate against this gross infraction of the convention, when he was surrounded by fresh guards, and confined by himself in a wretched hovel. When he arrived at Seringapatam, he was shut up for two months in a bullock-shed, the walls and roof of which were not proof against the rains that fell in torrents; and here he was obliged with his little family to subsist on ten cash (not quite a halfpenny) *per diem*, with the wretched allowance of one measure of rice. One of his infants soon fell a victim to this savage treatment. Lieutenant Nash \* also, with the rest of the garrison, had to endure indignities not less severe; nor is there the least doubt that they would all have been mercilessly put to death, but for a discomfiture suffered by the Sultaun on the February following, and the spirited remonstrances of Earl Cornwallis. Only the sufferings of a very rigorous imprisonment! Is Mr. Mill quite ignorant of the barbarous assassination of the three English prisoners, after a cruel imprisonment of many years in a pestilential dungeon at Oossore? Of one of these captives, indeed, whose name was Hamilton, the fate was for some time protracted after the murder of his companions. He had married a woman of colour, by whom he had several children; the barbarian was moved by their tears and intreaties, and he was for a while restored to them. But upon the capture of Bangalore the order for his death was renewed, and he fell by the sabre of an awkward executioner, who repeated the stroke thrice before the head was severed.

Has it entirely eluded the inquiries of Mr. Mill, that it was the systematic practice of the ruffian, whose demerits he is so unwilling to acknowledge, upon any adverse occurrence of the wars in which he was engaged with the English, to revenge himself by the brutal murder of his English prisoners? Even so late as the siege of Seringapatam, the moment the retreat of Tippoo's troops across the river was announced to him, he gave instant orders to put to death thirteen European soldiers who had been taken during the operations. "They were taken," says Major Stewart, "by three or four at a time to a square building used for keeping carriages, where the public gladiators, or gymnicks, were compelled to exhibit their dexterity in breaking the necks of the prisoners; their bodies were then rolled up in mats and carried out of the fort to be buried."† If this authority be not enough to conquer the scepticism of Mr. Mill, let him be referred to the official attestation of the same atrocious murders by Captain William M'Leod, who conducted the intelligence department with great correctness, and from whose inquiries on the spot it appears, that the men composing the party thus savagely murdered had lost their way during the siege, had been taken prisoners, and carried to the Sultaun. "Here," says Captain M'Leod, "the savage mode of destroying them was by breaking their necks in twisting their heads while the body was held fast. The executioners were the jetties, a caste of Hindoos who perform extraordinary feats of strength. The bodies of these unfortunate prisoners were rolled up in mats and carried out of the fort."‡ It appears further, from Captain M'Leod's report, that a peon undertook to point out the spot where some of the murdered prisoners had been buried, and that

\* *Ex relat.* the late Lieut. Col. Nash.

† Major Stewart's Memoirs of Tippoo Sultaun, prefixed to the Catalogue of Tippoo's Library, p. 86.

‡ Beston's War with Tippoo Sultaun, p. 166.

that Colonel Wellesley (the Duke of Wellington), anxious to ascertain the fact, sent some of the officers of his own regiment to the place, where they recognized distinctly the body of a soldier of H.M.'s 33d regiment.

The fact of Tippoo Sultaun's barbarity to British prisoners has heretofore been received as one of those stable historical positions, which alone render history a safe authority for the characters of the great actors that from time to time appear on the theatre of public events, and Mr. Mill is the first that has endeavoured to discredit it. A scepticism, so truly extravagant, tends to deprive history of one of its most useful functions—that of imparting lessons of mercy and humanity, and of exhibiting impressive instances (none can be more impressive than the fate of Tippoo) of the wise scheme of moral retribution in those striking punishments, with which, even in the course of human affairs, atrocious guilt is visited. But the process by which Mr. Mill has contrived to arrive at a conclusion, so adverse to every rule of testimony, is truly felicitous. It should seem that the English nation (on all occasions they come in for a full share of acrimonious comment) is addicted to the low passion of ascribing the most odious qualities to every party whom they dread. We have a sort of epidemical phrenzy in abusing our enemies, in an exact proportion to the degree of dread with which they inspire us; and of this mean propensity, the abuse we formerly lavished on Louis XIV., and afterwards on Tippoo Sultaun and Napoleon Bonaparte, is adduced as an illustration. It may, perhaps, be conceded to Mr. Mill, that the native complexional abhorrence of inhumanity, so honourable to the English character, may have sometimes betrayed us, in speaking of atrocious cruelties committed by our enemies, into some exaggeration of statement. The violent acts, which at different times disgraced the policy of Bonaparte, and at least prove him to have been by no means a truly great man, may, in all probability, have generated amongst us too undistinguishing a hatred of his character. But the execution of the unfortunate Duke d'Enghien, and the treatment of the prisoners at Jaffa, are matters of historical record; they are now no longer the exaggerations of our hate, or the inventions of our fear. In the case of Tippoo, however, the question is simply this, whether his conduct to his English prisoners, of which there is abundant evidence, did not afford sufficient grounds for the imputations which disfigured his living character, and have indelibly dishonoured his memory? Whether we have hated or feared too much, the facts remain uncontradicted and incapable of contradiction; and the historian, who arbitrarily rejects them, or rashly brings them into suspicion, so far forth betrays his trust. For whether facts are hastily rejected upon weak and insufficient doubts, or credulously adopted upon incompetent authority, authentic history is equally perverted.

In addition to these remarks, it is to be observed, that even those who have been most disposed to do justice to Tippoo, and have been misled into an esteem for his character, which it by no means deserved, have admitted that it had the deep taint of cruelty, from which Mr. Mill idly endeavours to redeem it. General Meadows, whose correspondence, in 1790, with the sultaun, Mr. Mill himself has cited, and who was as little infected with the mania of abusing him as Mr. Mill\* could wish, in that most laconic specimen of diplomacy, admits the fact, by a parenthetical allusion to Tippoo's treatment of his prisoners, which implies the strongest conviction of what was then not quite so well known as it is at present. "You are a great prince, and, *but for your cruelty*

\* Hist. Brit. India, vol. ii, p.

*cruelty to your prisoners, an enlightened one.*" Why then has Mr. Mill ventured on the experiment of discrediting a portion of history so strongly attested, both by the living victims of his cruelty, and a host of secondary evidence, which the historian was bound to respect? Why is that evidence not merely suppressed, but passed by without notice? It is because the judgment of the historian is biassed, perhaps unconsciously biassed, by an unaccountable anxiety to controvert the policy and to negative the expediency of measures, which led to the final extinction of the most implacable and dangerous enemy which our government in India has yet encountered; the only one bent upon invoking the aid of France, amidst the heat and peril of our arduous contest with that power, for the avowed and deeply-cherished purpose of annihilating the British name through Hindostan. The morbid irritation against English measures and English statesmen, which is for ever breaking out in the course of his most imperfect and unsatisfactory summary of the wars with Tippoo Sultaun under Lord Cornwallis and Lord Wellesley, can be traced to no other origin.

Upon the memory of the first Lord Clive, however, who may justly be considered the founder of our eastern empire, Mr. Mill presses with a severity of stricture, which it is still more difficult to account for. It is almost an axiom in Oriental politics, that to the master-mind of Clive we owe the introduction of a system, which has converted one or two mercantile factories, struggling for a bare sufferance from the native powers, into an empire, awing, overshadowing, and protecting them all from their own imbecility and the aggressions of each other. He was summoned, in that critical period of the Company's affairs to the counteraction of the most imminent peril to which their infant and feeble establishments had been yet exposed. The alternative was, total extinction or defensive conquest. Whatever may be the merits, however, of that policy, it is quite manifest, that after the capture and plunder of Calcutta by Surajah Dowlah, in 1756, the sufferings of the black-hole, to which Mr. Mill looks back with such a philosophic calmness, the avowed junction of that brutal tyrant with Law and Bussy to drive us out of Bengal, where our footing had long been weak and precarious, whilst the imbecility and incompetency of those to whom the fortunes of the settlement were entrusted were universally acknowledged;—at such a crisis, it is clear that but for the promptitude and skill of Clive the British name in India would have been a shadow that has long passed away. When Calcutta was regained, and the treacherous treaty with Surajah Dowlah had been concluded, the difficulties of the English were still more critical: for in the teeth of that treaty he had sent money to M. Law, with arms and ammunition to assist the French at Chandernagore, who had already assembled in great numbers at Cossimbazar, in the vicinity of his capital. The reduction of Chandernagore, therefore, which Mr. Mill denounces as an act of perfidy and injustice, became an object of urgent policy, and it formed part of the instructions which Colonel Clive brought with him from Madras. Surajah Dowlah had at the same time invited, by the most specious promises, M. Bussy and his troops from the Carnatic. After the fall of Chandernagore, when war had been declared in Europe between England and France, and a considerable French armament was hourly expected, there was then but one step to the final deliverance of the English from the treachery of Surajah Dowlah, and Colonel Clive earnestly and successfully urged the necessity of his deposition. That this was accomplished by intrigue, alarms the sensitive mind of the historian; but it was an intrigue to which the British power in India owes its existence. A handful of Europeans were exposed to entire

entire destruction from a power that was practising every stratagem to root up their establishment,—assisting the French with arms and military stores,—whilst that power was itself able to bring into the field a considerable force, not indeed highly disciplined, but peculiarly efficient in cavalry, of which the English were quite destitute. In such a position, intrigue became a defensive weapon, and at the battle of Plassy this important revolution, through the concerted defection of Meer Jaffier, was effected. In spite, however, of the overwhelming necessity which, in such a conjuncture, prescribes its own laws, Clive comes in for a pretty fair share of the reproach, which Mr. Mill deals so impartially about him, for the most part indeed incidentally, and in a parenthesis, as if the justice of the imputation admitted no dispute.

But a more direct charge against this great man is extracted from the affair of Omichund, a rich and powerful Hindoo, which, as Mr. Mill states it,\* bears the appearance of a superfluous piece of roguery, without any political purpose whatever, like that practised by Filch in the *Beggar's Opera*, as a mere trial of skill: whereas it was a well-merited retribution on a man, who, whilst it suited his purpose, had been the active, though clandestine, enemy of the English, and whose bad faith was dreaded to the last. The secret, however, had improvidently been entrusted to him, and they were completely in his power. "This piece of consummate treachery," as Mr. Mill terms it, was that of depriving Omichund of 3,000,000 rupees to be awarded to him in the treaty with Meer Jaffier, who was to be raised to the soubahdarship, imposing on him a fictitious treaty, in which the stipulation in his favour was inserted, and executing a real one, in which it was omitted. Whatever criminality, however, belonged to the transaction, the entire undivided weight of it is made by Mr. Mill to fall upon the memory of Lord Clive; but the affair is not correctly represented, nor does Omichund appear to merit the commiseration Mr. Mill bestows on him, nor Mr. Orme the passing rebuke, which he receives from the same quarter, because he does not utter a word of sympathy for the fate of Omichund, who died, it is said, from the shock of disappointed avarice. But was Omichund actually tricked, as it is insinuated by Mr. Mill's statement, out of his just compensation for his losses at the capture of Calcutta? Here it is to be observed, that a definite sum, viz. 20,000,000 rupees, was stipulated for the compensation of the aggregate loss sustained on that occasion by the Hindoo merchants. Of that advantage, in common with others, he was not deprived. But, on the assumed ground of his services in betraying the nabob (so the English called the soubahdar), Omichund claimed also a commission of five per cent. on the nabob's money and jewels, which were estimated at four millions and a half sterling, by which he would have realized £675,000 sterling. "The audacity of the pretension,"† says Orme, "implied malignant art; but, it is said, he threatened to reveal the conspiracy to the nabob if not complied with. If so, the boldest iniquity could not go further." Mr. Watts, who knew Omichund well, was afraid of this consequence, and on that account urged a seeming acquiescence in his exorbitant demands. Orme states also, in another place, that "Omichund, grounded in his importance in knowing the secret, held out the terror of betraying it to secure his own advantages."

Nor must it be forgotten that, in the acting of this fearful plot, the English at Calcutta had every thing to apprehend from Omichund's treachery, and that whilst the plot was in agitation they were obliged to place an apparent confidence

\* Hist. Brit. India, 4to. vol. II, p. 258.

† Military Transactions of Hindostan, vol. II. 4to.

confidence in him. Their only security was his avarice; and so long as he was satisfied that his own contingent from Surajah Dowlah's deposition would exceed the amount of what he might get from the nabob by betraying the English, was his adherence to be calculated on. "They then took into consideration," says Orme, "what conduct they should hold to Omichund; and, exasperated at the atrocity of his intentions in case of disappointment, determined that he should get *nothing more than restitution, in common with other Gentoo merchants of Calcutta*; but, at the same time, they designed to make him believe that they intended to reward his services." This is the history of the fictitious treaty. It is evident, then, that it was never contemplated to deprive Omichund of his compensation for his losses, for they were provided for by the fund appropriated to the indemnification of all the Hindoo merchants whose effects had been plundered. But it was the reward of his pretended services which they were determined not to give him, not only as it was extravagant and immodest beyond all example, but as the service was rendered without the slightest good faith, and through the whole transaction it was highly hazardous to employ him. How does the matter stand, however, in Mr. Mill's history? "When the accounts \* were sent to Calcutta, the sum to be given to Omichund, even as a compensation for his losses, seemed a very heavy grievance to men who panted for more to themselves. To men whose minds were in such a state, the great demands of Omichund appeared (the reader will laugh), but they did literally appear, a crime. They were voted a crime, and so great a crime as to deserve to be punished, not only by depriving him of all reward, but *depriving him of his compensation*; that compensation which was stipulated for every one. It was voted that Omichund should have nothing. They were in his power, therefore he was not to be irritated. It was necessary he should be deceived. Clive, whom deception, when it suited his purpose, never cost a pang, proposed that two treaties should be drawn up."

But it may be further remarked, that Omichund would not have been cheated out of his compensation, even had it been intended to deprive him of his share of the indemnity stipulated for the native merchants, which however is by no means the fact, or if, from the magnitude of his losses, the fund had been inadequate to defray them. For if Mr. Mill had sufficiently attended to Orme's narrative of the transaction, instead of indulging a sneer at the minute diligence of that most accurate of historians, he would have seen that Omichund, by means of a trick which he played on the nabob's credulity, had already received nearly the full amount of his losses. Perceiving that the nabob's suspicions of the English were every moment increasing, Omichund informed him, as a discovery, by which he risked all his pretension to the future favour and countenance of the English, that they had sent deputies to M. Bussey in the Deccan, inviting him to march into Bengal, and proposing that both armies should join in dethroning him, and divide the spoil. The nabob fell into the snare, and giving entire credit to the fiction, "he rewarded Omichund," says Orme, "*by ordering the sum of 400,000 rupees, which had been taken from his house at Calcutta, to be immediately restored to him, together with all his effects.*" Mr. Watts,† who was on the spot, states in a letter to Clive, that "*Omichund was engaged from an early hour till ten at night in receiving back his goods.*" To the English cause the trick played by Omichund was most inauspicious; for, by infusing an unnecessary alarm into the nabob,

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it determined him not to move his army from Plassy, which, at that stage of the proceeding, the English deemed highly necessary to their scheme, and which the nabob would certainly have done but for Omichund's false intimations. It does not, indeed, appear that Omichund was actually intent on betraying them; but his avarice blinded him to every thing that might delay or obstruct the project. As the plot drew near to its consummation, the apprehensions of Omichund's treachery increased still more. Mr. Scrafton, who was then at Moorshedabad, undertook therefore to get him away, and persuaded him to accompany him without delay to Calcutta, "But avarice," Orme observes, "is the most inflexible of all the vices, and Omichund, not having received more than half his plundered money at the treasury, requested Scrafton to wait till he could get the whole." His repugnance being at length overcome, they proceeded on their journey; but when Scrafton arrived at Cossimbazar he missed his companion's palanquin, and having despatched messengers back to the city, they found him sitting at midnight in the nabob's treasury, soliciting for more of the money the nabob had ordered him. Omichund, however, finding that he could get nothing but promises at the treasury, returned to Scrafton at two in the morning, when they renewed their journey; but Scrafton falling asleep, again missed his friend, who had stolen off to the camp at Plassy, to visit a native who was in the confidence of the English, and to sound him as to the reward he was to receive by the treaty. It seems then that Omichund had already regained his effects that had been plundered at Calcutta, and one half of the money that had been carried away from his house. He had, therefore, in strict justice, a demand only of 200,000 rupees on the fund destined to indemnify the Hindoo merchants, and that fund being 20,000,000 rupees, there is no pretence for saying that Omichund was deprived of his compensation.

Tried by the strict rule of an austere morality, perhaps, the artifice practised upon Omichund is not wholly defensible; but in political affairs, a slight departure from plain and unambiguous dealing is not unfrequently dictated by the sternest necessity; and it must be recollected that the English had every thing at stake in the success of the confederacy, by which their powerful enemy was to be deposed, and that in the progress of the plot they were compelled to play his own game with Omichund: a game in which treachery and fraud on one side could only be defeated by caution and cunning on the other. Yet it is impossible not to concur in the just observation of Orme, that "as Omichund's tales and artifices had prevented Surajah Dowlah from detecting the English confederacy with Meer Jaffier, the money he expected should have been paid, and he left to enjoy it in oblivion and contempt." It is at the same time difficult to conjecture upon what grounds Orme\* and the rest of his countrymen deserve rebuke for an unbecoming want of feeling, because they have withheld their sympathies from a regular artificer of lies, who was only determined by motives of the most sordid avarice, whether he should betray his employers or encumber them with his mercenary and suspicious assistance.

So much for Omichund; nor would the detail have been necessary but for the imputation which the transaction has furnished against the memory of the first Lord Clive. The more the character of that eminent man is investigated, the more clearly will it be seen that the absence of pecuniary taint was one of its

\* "Not an Englishman," says Mr. Mill, "not even Mr. Orme, has yet expressed a word of sympathy or regret for Omichund."



its most conspicuous qualities, and that he never could have lent himself to a conspiracy to defraud Omichund of the sum stipulated for his compensation, because, to use Mr. Mill's expression, "he panted for more to himself." But as no history of our transactions in India can be either accurate or useful without a just appreciation of the men who have taken the most important part in them, and whose virtues or whose failings cannot but have essentially influenced the fortunes of our eastern empire, the subject must be resumed hereafter. It will then be a fit occasion to point out other, and, perhaps, more momentous, misstatements, as well as defects, both of matter and arrangement, which blemish and considerably impair the utility of the elaborate work of Mr. Mill, a writer who is to be watched with the more caution, since he has sufficient ability not merely to conceal his errors, but sometimes to recommend and enforce them. It will above all be requisite to point out to the student of Indian history his deep and vital mistakes, his unjust and indefensible prejudices, in nearly all that relates to the law, the ethics, the moral condition, the manners, the science, and literature of Hindostan; mistakes into which he has been betrayed by an ill-fated adoption of partial and incompetent authorities, and the systematic rejection of testimony which, whether preponderant or not, ought at least to have been candidly weighed against them.

## ON THE DESPOTIC CHARACTER OF ASIATIC GOVERNMENTS.

THE trait of despotism which has invariably distinguished oriental systems of government, even from the earliest antiquity, deserves some consideration; for if it should appear not to have been the result of accident, but of some generic property in that portion of the human race which has inhabited Asia, it is therefore connected, in a considerable degree, with the physical history of man.

That government of some kind was resorted to at the very institution of any thing like a society, must be apparent; nay, it is obvious that the multiplication of a single family must have insensibly and undesignedly produced a species of government, which may be denominated the primary patriarchal, of which the progenitor was the head, and which, from the very nature of things, must have been absolute and despotic. At the earliest period of the existence of the human race, when there were only two, one was sentenced by the Almighty to be subject to the other.

For one hundred years after the deluge, whilst "the whole earth was of one language and one speech," the patriarchal system of government probably continued; for although Nimrod was "a mighty one in the earth," and although the phrase "mighty hunter," may be better rendered "mighty robber" (the Septuagint translate it γίγας, *giant*), there seems no good reason to conclude that Nimrod was a prince, in our acceptation of the term, or a conqueror, who subdued his fellows, unless we adopt the arguments of some ingenious writers, who endeavour to reconcile the text of the sacred historian to their assertion—that the dispersion of the descendants of Noah took place long before the building of the tower of Babel. It is, indeed, stated in *Genesis* that the beginning of Nimrod's kingdom was Babel and other cities in the land of Shinar; and the prophet Micah calls Babylonia "the land of Nimrod." Neither authority, however, is sufficient to prove that this remarkable personage was in reality supreme amongst the whole people of the earth then congregated upon the plains of Shinar.

At the dispersion of mankind, the entire human race, it is computed by Archbishop Usher, amounted to the number of 780,000 souls. In less than sixty years after this event, the kingdom of Egypt is supposed to have been established, according to the calculation of Constantine Manasses. The government of this, the earliest regal monarchy in the world, as we learn from such sources of history, sacred and profane, as are left us, was a pure despotism.

In the time of Abraham, divisions amongst nations were not only known but were numerous; each of the separated portions of the human race acknowledged a chief, who is distinguished in Scripture by the title of king: mention is made at this period of the kings of Shinar, Ellasar, Elam, Sodom, Gomorrah, Admah, Zebodim, Bela (or Zoar), Gerah, and Salem, as well as of Abimelech, king of the Philistines, and Tidal, king of nations. The slender notices of these petty monarchs, which are cursorily given in the pages of sacred history, afford grounds for supposing that their rule was not of a very liberal complexion.

Prior to the birth of Abraham began the great Assyrian monarchy, by some considered to have been the most ancient in the world; and which, owing to the extent of its dominions, its prolonged duration, and the tone which it seems to have given to all those governments which grew out of its ruins, may be regarded, generally speaking, as the model of oriental rule; and the Assyrian monarchy was a decided, unmixed despotism.

In all the empires which were contemporaneous with, and which succeeded, the Assyrian in the East, the monarch, under whatever title he ruled, seems to have been the sole master of the properties, and even the lives, of his subjects. The broad features of despotism cannot be mistaken; there may have been practical correctives in some states, of which we are not, at this remote period, informed; but the radical fundamental principle of government, in all the ancient states of Asia, as well as in those of modern date, was unbounded power in the one, and unlimited submission in the many. Such is the condition of oriental government at the present day: the monarch is supreme in every thing; his subjects are his slaves.

There are various modes of explaining this peculiarity of oriental government: it may be accounted for by the accidents which primarily led to the institution of the kingly office in the East, where it was doubtless first introduced; or by the intrinsic properties of the human character in the warm climates of Asia; or by the natural tendency of all authority to become absolute, unless checked by obstacles, which can seldom be contrived beforehand, and which certain contingencies and co-operating causes can alone effectually raise against the authority of princes.

It is so natural that the idea of a king should have been suggested to mankind, in the earliest ages, from analogy with the head of a family, that it is no wonder that almost all writers, ancient and modern, have supposed that as soon as circumstances rendered the patriarchal form of government inconvenient and obsolete, a king was chosen from amongst individuals, whose benevolent character most resembled that of a father of a family: "*quos ad fastidium hujus majestatis*," says Justin, touching upon this very subject, "*non ambitio popularis, sed spectata inter bonos moderatio, provehebat.*" Now, as we before observed, domestic authority is, from necessity, arbitrary and absolute; and as soon as the same degree of prerogative which belongs to a father of a family, who tempers his despotism by natural affection towards the objects of it, is conveyed to an individual who is unconnected by ties of blood with

with those subjected to his will, it acquires all the worst traits of tyranny. Assuming, therefore, that a domestic governor was the model from whence the kingly character was first taken; that no barriers were raised against the exuberance of human passions, to compensate for the absence of the *σφεγν̃*, or principle of natural affection; we need seek no further for the origin of despotic principles in eastern government.

The first monarchy established in the world was probably of a character to which no subsequent one can ever be expected to exhibit a parallel. Its primitive ruler was doubtless chosen for his virtues—his *spectata inter bonos moderatio*. How soon the vices inherent in the human heart increased the appetite for power in the successors of that individual, if not in the individual himself, it is difficult, indeed, to fix with certainty, but it was probably not long. As soon, however, as mankind formed separate communities, causes of war arose; war led to conquest; and conquest enlarged the territories of the victor, who naturally distinguished between his subjects by inheritance or election, and his subjects by force: the latter were doubtless rendered sensible of their inferiority by a heavy pressure of the yoke, and most likely became the slaves of the conqueror. The distinction would vanish in the course of succeeding years, and under successive sovereigns, till at length the condition of both classes would be equalized; that is, both would become equally degraded.

The tendency of power, entrusted in the hands of one, to pass into despotism, would be accelerated by the influence of climate, a cause sufficient almost of itself to explain the unvarying complexion of oriental rule. The warm and luxurious air of Asia inevitably begets in the human constitution habits of sloth, indolence, and indulgence, which operate in two ways to the destruction of popular liberty, by implanting a desire of uncontrolled authority—a power of doing as they please, in the rulers; and by promoting that passive obedience in the governed, which is favourable to the extension of tyranny, and invites inroads upon political freedom.

With regard to the last mode of solution, there can be no reason to doubt that the abuse of power preceded all political restraints upon the monarch; that it was not till experience taught men their danger, that they had any motive to invent and to apply such restrictions upon their princes as should protect them from their tyranny. But, not to insist upon the fact, that amongst many nations in the East, there prevailed a belief in the divine right of kings, and in the sanctity of their office and character, which made men averse to limit their authority even when they felt it might be abused; there are wanting more contingencies of accident, of good fortune, of weakness on the one hand and talent and honesty on the other, with a variety of other circumstances, in order to offer an opportunity of setting bounds to monarchical authority, when once established, than can be at first readily imagined; and the advantage, if secured, must be maintained, against a constant desire of encroachment, through a long series of years, and against princes of every variety of temper. Such a state of things could hardly be expected to happen amongst the weak, the vacillating, the indolent, the voluptuous, natives of Asia.

Upon the whole, then, there is no reason to wonder at the prevalence of despotic principles of government in Asia; and it might offer a subject for another inquiry, whether Asiatics, generally speaking, are in reality adapted to any other system.

# THE ADVENTURES OF HATIM BENI TYE.

(Continued from p. 403.)

## FIFTH QUERY.

THE recorders of marvellous tales have related that, after the accomplishment of the fourth expedition, Hatim said to Hussun Banoo, "now explain to me the fifth query, that I may proceed to complete my engagement." Hussun Banoo replied: "I have heard that a person has written over his door, 'The speaker of truth is always tranquil and happy.' Where is that person? what truths has he spoken, and what advantages have been the result? Ascertain these points, and describe them to me." Hatim requested to know in what quarter he should proceed. "To the southward," said Hussun Banoo, "I know no more." The prince of Arabia took leave of the prince of Syria, and commenced his journey. He travelled night and day, till he came to a well, round which a great number of people had assembled, and were weeping and wailing exceedingly. He inquired the cause of their sorrowing. One of them replied: "O my friend, I had a son about eighteen years of age, and beautiful as Joseph, the Canaanite. He came here to draw water, and from that time we can discover no trace of him: where he has gone, or by whom taken away, we know nothing. His father and mother are distracted. This is the cause of our grief and mourning." Hatim said to them: "In the name of God, and under his protection and care, I will cast myself into the well." Saying this he plunged in, and as soon as his feet touched the ground he perceived a door, which he entered, and beheld a beautiful lawn spreading before him. He went a little further and came to a garden, which he also entered, at the extremity of which he saw a house splendidly decorated with various colours. No description can do justice to the magnificence which rivetted his attention: every ornament was of gold, and silver, and rubies. In a richly adorned palace he observed a female sitting on a throne of exquisite workmanship; she was more fascinating than a Hoori: she was a sea of quicksilver. Upon the throne, in her embraces, sat a youth, a second Joseph in beauty, and they were playing with each other in amorous dalliance. Suddenly the damsel espied Hatim, who was transfixed with astonishment in contemplating her transcendent loveliness. "Impudent young man," said she, "who are you that, without permission, dare to tread in my sacred recesses? Are you weary of existence, and come to meet your fate?" Hatim respectfully bowed his head, and replied: "Resplendent beauty, I am a poor traveller; the destinies have brought me hither. The sight of this dazzling splendour has made me forget all the trouble and misery I have experienced: in my way hither I have encountered many difficulties. That charming youth who sits on the throne with you has a father and mother, who are totally ignorant of his situation: they are ready to die with affliction for his loss. On their account am I here, to tell you of their distress and misery."

When the damsel heard these words, she said: "In this case I can do nothing; he is inattentive to whatever I say." "What!" said Hatim, "inattentive to your mistress! Your father and mother are dying with grief, then how can you linger here?" The youth said, "this is nothing to me: I can never live separated from her, absence would destroy me." So saying, he began to weep. Hatim tried every persuasion, and at last his eloquence produced the effect of softening the youth's heart, and he consented to return. After two or three days, all the three reached the bottom of the well, and

Hatim shook a rope secured at the top, by which they were all pulled up. The father and mother fell at the feet of Hatim, who, together with the youth and Peri, was taken to a mansion, and entertained with most magnificent hospitality.

Two or three days afterwards, Hatim took leave of them and proceeded on his travels. He inquired of those whom he met if they knew of the man who had written over his door, "The speaker of truth is always tranquil and happy." He was told that he resided in a city on the bank of the river Abadan, about forty miles off. He went on, and reaching the summit of a mountain, discovered a beautiful youth sitting under a tree, crying. He humanely asked the cause of his weeping, and offered him all the assistance and consolation in his power. The youth groaned, and said, mournfully, "O my friend, know that about three miles off there is a city, in which resides a merchant, whose only daughter is more lovely than the full moon. All the world is ravished with her beauty. Her name is Hussun Afroz; and she says that whoever it may be that conforms to her conditions, he alone shall possess her." Hatim asked the nature of the conditions. They were these:

"First, A man, riding upon a bull, comes from this wilderness once in every month and kills two or three men, and then returns. What is the meaning of this? Ascertain the fact, and describe it to me.

"Secondly, I wish for the mirror of Jemshid.

"Thirdly, I wish for the brilliant cup which was the talisman of Plato.

"These are the conditions which drive me to distraction, and what am I to do?" Saying this, he began to cry again, and rolled on the ground. "Be of good cheer," said Hatim to him, "by the favour of God, I will put an end to your troubles. Let us go at once to the cruel damsel, that I may bind her by a promise, and then I shall endeavour to promote your happiness." They both went to the merchant's daughter, who readily engaged to be the wife of the young man on the conditions being performed. Hatim then took leave of her, and also of the merchant's son, and commenced his inquiries. He came to a city, the inhabitants of which had retired to a desert, where they had pitched their tents. He asked them of what tribe they were, that they had taken up their residence in the desert. The people said that they were afflicted by a great calamity; that a person riding upon a bull attacked them once a month, and after killing two or three men returned to the desert: "if," said they, "we do not consent to his demands in a moment, he rains fire and brimstone upon us." Hatim told them to be under no further apprehension, that the calamity should soon cease to afflict them.

Suddenly the bull-rider appeared, and did as he had so often done before. Hatim followed him on his return. The man upon the bull turned round several times, and drawing his sword, seemed as if he wanted to kill his pursuer; but Hatim still fearlessly followed, and observed him enter his habitation on the skirts of a mountain. Himself unseen, he saw about fifty persons sitting, who, on the approach of their chief, rose up and respectfully received him. A table was spread, loaded with every sort of food. The chief threw off his armour, and sat down. "My friends," said he, "a stranger approaches: bring him hither." Hatim was accordingly called, and after mutual salutations had passed, the chief said, "young man, who are you, and from what country do you come?"—"My name is Hatim-Beni-Tye," said the prince of Arabia, and then recapitulated the events of his life. The chief, falling on the ground, said, "God has sent you in an hour of necessity: I have long expected you." Hatim inquired for what purpose he had expected him.

him. "O Hatim," said he, "I am the prince of Gurman. My father had been long childless; and when I was born the astrologers of his household prophesied that at fourteen years of age I would become mad. My father ordered a mansion to be constructed for me in the desert, and appointed a learned man to instruct me in every science. True it is that there is no shield against the arrow of destiny.

"One day I was walking in the garden, and suddenly I heard a voice, saying, 'cruel young man, look up, and cool my burning heart.' I looked up and saw a Peri of transcendent beauty, upon a throne in the air. 'Come to me,' said I, 'and speak to me.' She descended and sat down by me, and caressed me with great fondness. Days passed away, and I could conceive nothing so sweet as her society: such a friend I shall never see again. A great noise was heard in the sky one day, when we were playing at chess, and looking up, the lovely fair one heaved a deep sigh. Seeing her distress, I conjured her to tell me the cause. She said, 'O prince, the attendants of my father have come for me: I cannot remain with you any longer.' 'O joy of my life,' said I, 'who is your father, and when shall I meet you again?' 'It will be difficult to see you again,' said she, 'but hear me; there is a teacher who lives in a desert: his name is Gianee Acharuj Joogee. If you go to him and stay in his service, and he becomes partial to you, undoubtedly you will see me again.' Saying this she returned to her father, and left me in all the horrors of despair. I wandered about disconsolate, and at last fell in with Acharuj Joogee, and entered his service. One day I mentioned to him the disaster that had befallen me in losing the beloved of my heart, and he told me that, on a particular hour, a man named Hatim would arrive from a distant country, and gratify the longings of my soul. O my friend, this is the appointed hour, and you now know the nature of my sorrows." Hatim soothed him, and asked the name of his love, and where she resided. "The name of the city," said the chief, "is Aramabad; her father's name Ruzwan Shah, and her own, Jumecla."

Having gained this information, Hatim set off for the purpose of discovering the retreat of the cruel damsel. He entered a forest, and saw troops of wolves and lions rushing forward to attack him. He was embarrassed: he never saw such a number of lions and wolves together before, and knew not what they could be about. In this dilemma he was surrounded by them and taken to the presence of their king, who was also a lion. When Hatim saw the lion with the trappings and state of royalty about him, he concluded him to be the chief of the tribe: he bowed respectfully, and stood still till night approached, when all the lions and wolves were transformed into women of dazzling beauty. The chief on the throne was more beautiful than a Hoori or the full moon. The damsel called Hatim towards her, and he related to her, from first to last, all the adventures in which he had been engaged. The damsel gave him comfort, and told him that he should be taken to the happy regions of Irem. Hatim said, "who, and what are ye?" "We are," said the damsel, "of the nature of Peris; but we are under the influence of the wicked maledictions of a fakeer, so that every day of our lives we appear to be hideous animals, and every night recover our original shapes: from that fatal day it has ever been, and ever will be so." Hatim inquiring respecting his own affairs, the hearts of the Peris became interested in his favour. "Hatim," said they, "we will give you a drink that will transport you to a distance of forty miles, where a beautiful garden is situated. You must go to the gate of that garden, and desire the people to tell Khiltas Jin that a mortal has arrived

arrived from Mahur Afroz, and that you wish to be honoured with an interview. O Hatim, he is my brother : you will be successful."

Accordingly, in seven days Hatim arrived at the garden which the damsel had described. As soon as Khiltas Jin heard the name of his sister mentioned, he called Hatim to him, and seated him by his side on a magnificent golden throne. He perused the letter, and said, " be of good cheer, you are close to the regions of Irem." Hatim was feasted and entertained for several days, and afterwards taken to Iremabad, and introduced to Ruzwan Shah. Ruzwan Shah was riding out, attended by his genii, but immediately returned home with his brother and Hatim. A banquet was arranged in the most splendid manner. Khiltas Shah, addressing himself to Ruzwan, inquired for the daughter of the throne. Ruzwan replied : " O brother, she has fallen in love with some human being, since which she has been confined to her bed, and enjoys neither rest by day nor sleep by night ; but where the prince is, whether dead or alive, no one can tell. Khiltas said that he could produce him in a very short time. Ruzwan Shah was delighted with this assurance, and Kiltas having ascertained from Hatim where the young man was, instantly commanded his servants to convey him to the presence of Ruzwan Shah. The command was directly obeyed, and the prince was transported through the air on a ruby throne to the appointed spot at Iremabad. The impatient lover was soon in the presence of his fair one. Ruzwan Shah was so charmed with the personal beauty of the youth, that he gave immediate orders for the celebration of the nuptials. All hearts were glad, and Hatim continued with them many days before he could summon resolution enough to quit a scene of such pleasure and magnificence.

He now returned to the city of that damsel who had required the history of the bull-rider, and she was satisfied with Hatim's explanation of it. She then asked him to perform the second condition, which was to bring to her the cup of Jemshid. He only inquired in what quarter he should proceed. She replied to the north, over a mountainous country. Hatim knew that God was bountiful and compassionate, and would, he hoped, continue to support him under every difficulty and danger : he again set off. After journeying many days, he arrived at the precincts of a city, and saw an old man standing under a tree. The old man asked him where he came from, and whither he was going, his name, and errand. These questions were candidly answered. " In the desert, near this place," said the old man, " there resides a holy durwesh. If he generously assists you, you will doubtless obtain the mirror of Jemshid ; if not, the difficulty will be insurmountable. The mirror of Jemshid was made of the bone of the skull of King Jemshid. When he died, his son, according to the king's last will and testament, had the cup made. It brings to view past and future events, and without the assistance of the durwesh whom I have mentioned you cannot be successful." Hatim thanked the old man, and repaired to the desert. He found there a highly cultivated spot, full of fruit and flower trees : he walked about all day, and in the evening sat down under a tree. When the sun arose from his eastern kingdom, Hatim went to prayers, and suddenly the holy durwesh smiled, and said, " come to me Hatim, I have long expected you." Hatim fell on the ground, and the old man raised him up and embraced him. He resumed : " O Hatim, keep by you this staff of seven colours. Should ever any momentous difficulty occur to you, the motion of this staff will remove it all. Keep it with religious care, and as long as you are in possession of it nothing can ever bring you any harm." The night was passed in instructive conversation.

versation. In the morning the old man took him to a little distance, and said to him : " do you see that crow constantly on the wing ? That crow is guarding the mirror of Jemshid : strike the crow with this staff, and it will instantly die. A dreadful howl will be heard, and the heavens will be covered with darkness ; the enchanted place will appear, and the door with the lock, just strike it with the staff, then turn the key, and go in : still strike with the staff. A flight of seven steps will appear before you, and on the seventh step a bow and arrow, and a figure. When you place your foot upon the first step the figure, which is lying down, will start up ; when you place your foot upon the second step the figure will stand ; when you place your foot upon the third step the figure will take the bow in its hand ; when place your foot upon the fourth step it will raise its head ; when you come to the fifth step the figure will place the arrow in the bow ; when you come to the sixth step the figure will draw the bow ; and when your foot is placed upon the seventh step you will be killed by the arrow : but this must not be, you must keep the staff waving about before you, and when you ascend to the top you will perceive a splendid chair, under which the mirror is placed, and over it hangs a tremendous sword. When you reach forward to seize the mirror, the sword will endeavour to kill you ; just strike the staff upon the sword, and you will secure the prize : remember my instructions."

Hatim promising faithfully, set off, and keeping sight of the crow, he came to the place which it was guarding. He threw the staff at it, and it fell down dead : an awful noise ensued, and terrible darkness. He then prayed, and the darkness was dispersed. He saw the door and the lock ; but, to his utter confusion, when he took hold of the key, his hand became fixed there, and himself whirled up and suspended by the heels. Every attempt at extrication redoubled his pain : he had nearly given up the ghost, when at last he remembered a magical sentence. The moment he muttered it the durwesh appeared, and taking the staff in his own hand, struck at the lock, which released the Arabian prince. Hatim was all gratitude and joy. " Young man," said the durwesh, " you have already forgotten my instructions ; you were at the point of death, take care in future and remember me." Saying this he disappeared. Hatim again poured blessings upon the old monitor. Again he set off, and coming to a large pomegranate tree, the fruit of which was ripe and tempting, he again forgot the important instructions that had been given him. Wanting to gather some of the fruit, his hand stuck fast to the tree : Hatim could not move. Again he muttered the magical sentence, and the holy durwesh again appeared, but with an indignant frown. Releasing his hands, he said, " What ! still negligent of my instructions ? for you alone am I anxious !" and he again disappeared. Hatim resolved to be more upon his guard. When he came to the flight of seven steps, on placing his foot upon the first, the figure rose and sat down again. He waved the staff before him, mounted the second, third, fourth, fifth, sixth steps, and when he reached the top he again forgot the old durwesh. On stretching forth his hand to take the mirror a tremendous groaning and howling was heard, and the sword cut him almost in half. He had just power to repeat the magical sentence, upon which the holy man returned. " What has befallen you ?" said he, " what ! your loins cut through and through ! Rise, your wound is healed !" Hatim stood up, and was astonished to find himself unhurt. He returned thanks to heaven for this mysterious preservation. The old man smiled and disappeared. Hatim again wielded the seven-coloured staff and struck on the sword : he then took up the mirror of Jemshid in the midst of darkness and dreadful groaning. All the enchantment



enchantment faded away, and he went with the mirror and staff to the habitation of the holy durwesh. The staff he gave back, and then immediately returned to the city of that damsel who had required the mirror of Jemshid.

This adventure being brought to a happy conclusion, the damsel asked him to perform the third condition, *viz.* The brilliant cup, which was the talisman of Plato. Nothing could divert him from the immediate performance of his engagement; nothing could damp the ardour of his zeal in doing good. He came to a town, the inhabitants of which told him that the talisman which he was in search of would be found near the sea; he travelled on till he came to the sea; he got on board a ship which conveyed him to a little island; he went on shore, and continued his inquiries night and day. Suddenly he came to an Ethiopian city: he was seized by the inhabitants and conveyed to their king, whom he found seated on a black throne, surrounded by thousands and thousands of Africans. The king said to him, "Young man of the beautiful countenance, I have a daughter whom I will give thee in marriage." What could Hatim say or do on such an occasion? he was a prisoner and helpless. They were accordingly, by the king's command, married. He saw that she was dressed in an ass's skin, and had a head-dress of wolf-skin. A fox's tail was fastened round her arm, and stones of various colours formed her neck-string: her lips were thick, wide, and black. What a connexion for Hatim! She talked to him in a hoarse thundering voice, at which he started. "Do you start," said she, "at a voice which the princes of China, of Syria, or Room, would be enchanted to hear?" Saying this, she folded her arms round his neck. Her body was offensively unclean. "If you wish to kill me and eat me," said Hatim, "I am now in your power; if not, for God's sake release me from your abominable embrace."

When she heard this, she went crying to her father, to tell him of the insult thus offered to her person. The Ethiopian king, as a punishment for this indignity, ordered Hatim to be confined upon the mountain Alwund; but he did not long endure this confinement. One day he threw himself into the sea, where he floated about till he happened to be thrown on an island called Isfindyar. He there saw an immense building, the dome of which reached to the clouds; he approached it, and saw a flight of seven steps which led to the door. Upon the steps there seemed to be a figure, whose limbs were separated from each other. When Hatim placed his foot upon the first step, the limbs seemed to unite together; when he placed his foot upon the second, it seemed a human being; when he placed his foot upon the third step, it held forth a bow and arrow; when upon the fourth, he perceived himself in danger of being shot, therefore he re-trod his steps, and again commenced from the first step, walking gently up till he got to the top. He then beheld a beautiful virgin asleep, and upon her pillow two roses. He wanted to take the roses; but on stretching out his hand a dismal yelling was heard, the dome vanished from his view, and it began to hail dreadfully. Presently the earth was covered with water. Hatim swam about till he got hold of the branch of a tree, which supported him, and enabled him to climb upon the building: he there sat down, and wept to see nothing but water around him. On a richly adorned chair, close to him, a goblet was placed, which filled and emptied of itself; it was made of stone: he took it up, and the deluge having now subsided, he departed.

After a long and tedious journey he arrived at the city of that damsel who required the talisman of Plato. Hussun Afroz, who had imposed the conditions above mentioned, was now satisfied. She presented herself before Hatim as his slave. Hatim then united her to the youth for whom he had encountered

encountered so many and such various difficulties. The marriage was conducted with uncommon magnificence.

Hatim became now occupied by his other engagement. He arrived at a city by the sea-shore, and inquired of all whom he met: "Where does the person reside who has written over his door, 'the speaker of truth is always tranquil and happy!'" The place was pointed out to him: he resumed his journey, and at last succeeded in finding the house and the person. After the usual compliments on meeting were exchanged, Hatim inquired the meaning of the writing over the door. "Know, young man!" said he, "that I was once treasurer to a king. Sitting one day in the treasury, I observed a mouse had eaten a hole and gnawed several pieces of gold: I wished to stop up the hole with some earth. The king's wuzeer, having a sort of enmity to me, and seeing me thus occupied, went to the king, and said that I was engaged in an amour with some one in the princess's apartments. He brought the king to the spot, where he saw me employed in mending the hole. 'Well, my friend!' said he, 'so you have been peeping at my daughter, have you?' I replied humbly that, whoever offended his majesty would be punished eternally. He then ordered me to be thrown into Solomon's well, never to be taken out alive. I was accordingly thrown in, and the mouth of it secured. About the same time the king repaired to his daughter's apartments to speak to her. She was not there, and had an opportunity of examining the hole which the mouse had made. The attendant of the princess assured him that she had been, for the last three days, enjoying the beauties of the garden, and had not been in her apartments at the palace during all that time. The king here suspected that he had punished me unjustly: he called the wuzeer to him, and ordered both his eyes to be plucked out. The falsehood of the charge against me had been proved; I was released from Solomon's well, and appointed the king's wuzeer in the room of my accuser. Ever since that time the moral sentence has been over my door, the meaning of which you now comprehend." Hatim now returned to Shahabad. The attendants of Hussun Banoo gave intelligence that the prince of Arabia was waiting at the gate. The prince of Syria attended him to Hussun Banoo, to whom the particulars of the enterprize was detailed. Hussun Banoo replied, "You are right; in this manner I have heard it from my nurse."

#### SIXTH QUERY.

Curious historians have recorded that Hussun Banoo, equally astonished and delighted with the invincible courage and patience of the prince of Arabia, now required an answer to the sixth query: "I have one pearl which is as large as an egg; bring me another of equal magnitude." Hatim examined the pearl, and made a piece of clay exactly the same size. He took leave of the beautiful princess, and proceeded on the sixth great enterprize. Resigning himself to the will of Providence, he travelled till he came to a forest, where he sat down upon a stone underneath a tree. In that tree there was a nest, made by the seven-coloured bird. The male and female seeing Hatim, the latter observed: "Do not stir, there is a man below the tree."—"Know you not," said the male, "that this is Hatim-Beni-Tye, the prince of Arabia? He is now labouring for the benefit of the true servants of God. Six whole years he has been engaged, heart and soul, in solving the queries of Hussun Banoo: he is now on his sixth enterprize, and wants of the eggs of the Baban." The female asked how he might succeed. The male said: "In the days of Solomon the prophet, a bird of that species laid that egg, which is now a pearl.

In

In all the world there were only two : one of them was buried with the treasure of Ky-ka-oos, and it so happened that Hussun Banoo found this pearl at the very time she discovered seven pits of gold and silver, and a splendid peacock throne. The other pearl is in the possession of the king of Suheel, who has engaged to give his daughter and four vessels of gold to any person who shall describe how it was produced ; but none can account for so wonderful a thing." The female said, " do you, my husband, tell me how it may be accounted for."—" The father of Suheel, king of the Peris, was one day walking in his garden, when suddenly he perceived a most enchanting young damsel floating on a plank on the river. He immediately commanded a legion of Peris to bring her to him : he grew deeply enamoured, and married her immediately. This beautiful woman drew a large pearl from a purse and shewed it to the king, upon which he asked from whence she had got it. ' Going ashore one day from my float,' said she, ' upon a small island, I perceived what appeared to me an egg at a distance ; I went and took it up : it was certainly an egg, but casting my eyes another way after some other object, and again looking at it, it became a pearl. I now present it to your majesty.' This pearl has ever since been in the possession of Suheel Shah."

The male having thus told his story, the female wanted to know by what means any person might get a sight of the wonderful pearl. " In the way to the residence of Suheel Shah there are twelve thousand four-footed dragons to guard it. Even the birds of the air are not secure from them : but if any one provides himself with one of my white feathers, moistens it in water, and rubs it over his body, he will be transformed so perfectly into a dreadful demon, that the demons themselves will not be able to discover the deception. If he wishes to resume his original shape he has only to take a red feather, moistened in water, and rub it over his body." Having attentively heard these instructions, Hatim carefully gathered up the feathers which had fallen under the tree, and slept there all night. He rose with the sun, and attending scrupulously to the directions he had heard, pursued his journey. He came to a dreadful wilderness, entirely destitute of water. He examined the ground on every side, and at last fancied that he saw some appearance of a rivulet ; but when he approached the spot he beheld a number of dragons fastened together by the neck, whose bodies shone like marble. In a moment it began to rain stones : the dragons approached, and he retreated, when on a sudden he came to a beautiful garden abounding with every thing delightful to sight and taste. Troops of Peris appeared at the inner gateway. In the midst of the garden was a spacious lake ; the Peris plunged into it, and instantaneously brought up, upon their heads, viands of every kind, which they presented to Hatim : they then laid before him jewels and gold apparel. Hatim was lost in amazement, when a young man, of great beauty, arose from the lake and embraced him tenderly. Hatim asked his name, and he replied : " I am that dragon which brought you here. On account of your piety and holy works the Almighty has restored me to my own shape." Hatim inquired into his story. " Listen," said he : " I am Muztrub Shah, the king of those Peris, to whom Solomon the prophet said, ' beware of harbouring in thy breast any thing which may give unhappiness to man ; whoever entertains such a thought shall be transformed into a serpent.' I however forgot this caution, and assembled all my troops with the determination to afflict and destroy mankind the next day. This being fixed, behold, in the middle of the night, all the Peris, some relations, and some strangers, were transformed into serpents. I wept and moaned all night in the bitterest agony. In the morning

morning I prayed to my prophet, and a voice was heard, saying, 'O king, you have forgotten and neglected my caution; you will remain in this state till Hatim comes and prays, and then, by divine favour, you will all be restored to your own form and features.' From that hour my eyes have constantly been on the road in expectation of your arrival; now pray for me and for my people."

Hatim accordingly prayed to the Almighty to put an end to the metamorphosis, and, in consequence, the king and all his subjects were released from the enchantment. After having been liberally entertained for several days, Hatim desired his host to direct him to the kingdom of king Suheel. "Ah! Hatim," said he "how can you go thither, when millions of demons keep continual watch on the road. The Peris have no power there." Hatim replied, "conduct me over the river Iman, and leave me to my fate." The king called four of the Peris who were well acquainted with the road, and told them to prepare a throne and seat Hatim on it, for the purpose of crossing the river Iman: this was immediately done. They flew over with him, and landed him in an orchard, full of the most delicious fruits. Two of the Peris stood by him, while the other two went to gather fruit. Suddenly Chundum Dew, with twelve thousand of his subjects, arrived at that spot, and when their eyes fell upon the throne upon which Hatim had been conveyed, information was immediately carried to their sovereign. He ordered the Peris and Hatim to be brought to him, and the Peris perceiving the approach of the demon in arms, drew their swords, and fighting, said, "has Chundum Dew forgotten Muztrub Shah? is he not afraid to injure his people." Chundum replied: "wherefore speak falsely? Muztrub Shah has long been a serpent." The Peris said that by divine favour Muztrub Shah had been restored to his original shape; but this was all in vain, both the Peris were killed, and Hatim taken and carried to prison. The two Peris, who had gone to gather fruit, on their return missed Hatim, but saw their two friends, whom the demon had murdered, lying on the ground. Many of the demons were killed. One of them, desperately wounded, answered the anxious inquiries of the two Peris respecting the rencontre. They then immediately returned to Muztrub Shah, and told him what had befallen Hatim and their brethren. Muztrub Shah was enraged at this barbarity, and instantly assembled his whole army. Eighteen thousand Peris were ready in a moment. Muztrub Shah mounted his flying throne, and soon reached his destination. He sent a Peri to Chundum Dew with a message: "If you wish to live, release the mortal in your power: if not, every demon in your service shall be immediately put to the sword." Hearing this, Chundum Dew came forward, and all his legions. The battle was long and dreadful. Muztrub Shah, with his two-edged sword, cut every one in half whom he encountered. At length the demons were defeated, and Chundum Dew taken prisoner. "Accursed wretch," said Muztrub Shah, "where is the mortal? bring him to me." Chundum replied that he had killed him. Muztrub Shah then ordered great quantities of wood to be collected together to burn the demons alive. When Chundum found that he could not escape with life, he confessed in which dungeon Hatim was confined. Muztrub Shah directed the fairies to bring him, which they immediately did. Hatim and Muztrub Shah rejoiced at meeting. Chundum Dew was punished with death, and one of the Peris of high character succeeded to the throne.

Muztrub Shah then returned to his kingdom. The Peris raised Hatim, seated on the throne, in the air to such a height that the sea appeared like a small rivulet, and when they had at last discovered a place free from the apprehension of demons, they descended to take rest. Again they ascended;

and on the twelfth day they alighted on the summit of a mountain. They searched all over the place for fruit and water, leaving Hatim sitting alone. Suddenly he heard a voice of lamentation proceed from below. He arose, and perceived a young man, a Peri, sitting under a tree, weeping in a love-sick tone. He said to him, "what grief is it that afflicts your heart, that you lament so bitterly?" The young man raised his head, and seeing that it was a mortal who was speaking to him, said "who are you, and how came you into this desert?" Hatim replied: "first tell me your own story, and then I will tell you mine!" "O," said the youth, "I am king of the Peris; my father's name is Feroz Shah; my kingdom is Sip'hur Seer; my name Indaleeb; I am in love with Gool Chihra, the daughter of Suheel Shah. Her father has a pearl the size of a hen's egg, and he says whoever can give the history and origin of this pearl shall have it, together with four vessels of gold, as his daughter's dowry. I have inquired every where, but I am still ignorant of its history. This is the occasion of my grief, and of my solitary lamentations. Night and day the mistress of my heart distracts my imagination. This is my story, and these are my afflictions." Hatim then told him his own history from beginning to end, and added, "be of good cheer, cease to despair, since, by the blessing of Providence, my exertions may bring thee at last to the arms of thy mistress; but with this condition, that, after the consummation of your wedding rites, you give me back the pearl in question." The young man agreed, and fell at his feet, full of gratitude. They both rose up and seated themselves upon the throne. The Peris returning, observed a stranger near Hatim, and when they got nearer they found a black demon sitting on the throne: around him were ten thousand demons. When he heard the voices of the Peris he raised his head and said to the demons, bring down that throne. When the demon saw Indaleeb Shah, he said "from whence have you brought this man?" Indaleeb Shah said, "I am taking him to Suheel Shah." The demon said, "do you go yourself, and leave the man with me, he shall not escape: he will at last fall into my hands, and I will eat him." Indaleeb Shah said "what will be the use of eating one man? in lieu of him I will give thee ten others." The accursed replied: "I will keep this man, then, till you give me the ten others. Upon this condition I will not hurt him in the smallest degree for one week; but if you do not bring me the other at the expiration of the seventh day I will eat him." In short, Indaleeb Shah was without remedy, and could not avoid quitting Hatim. The sixth day had come: in the middle of the night the demons were asleep, when Indaleeb approached with four Peris. Finding Hatim sitting under a tree, they raised him gently, placed him on the throne, and took him up into the air. When they descended again the Peris said that they could go no further. Hatim parted from the four Peris, and took the feather of the seven-coloured bird in his hand, rubbed it on his body, and he became, in appearance, a horrible demon. Indaleeb Shah vanished in air, and Hatim pursued his journey on foot.

One day he sat down and fell asleep under a tree. A demon approached him, and seeing him of his own shape and nature, wakened him, and asked him whence he had come, and whither he was going. Hatim replied, "that he had come from Chundum Dew, whom Muztrub Shah had killed, and whose kingdom he had conquered. I fled," continued he; "I have a brother in Keelan, whither I am going." The demon said, "Muztrub Shah was transformed into a snake, and all his tribe; how has he regained his own shape to kill Chundum Dew?" Hatim said, "so it is;" and related the whole affair. The demon was greatly disturbed by this unwelcome intelligence, which he forthwith

forthwith carried to the king. On hearing it, the king sent for Hatim, who repeated to him the story. Hatim had then permission to depart, and returning to the tree, he again met with Indaleeb Shah, and they set off together. They came to a large river, which it was difficult to cross. Indaleeb Shah said: "O, brother, do you stop here till I bring my horses." He went to the king of the Peris, named Mymoon Shah, whom he knew. The king said, "where have you been during this long period, and what are you now engaged in?" Indaleeb Shah communicated to him all that had happened, and requested the loan of two horses. These were granted, and he immediately returned to Hatim, whom he mounted upon one of them, bidding him to close his eyes and plunge at once into the stream. They soon passed the river, and several stages beyond it, when they came to a garden. He said to Hatim: "O, brother, remain here till I go to my own country: in a few days I shall assemble my army and conduct it hither with its baggage." Hatim remained in the garden. Indaleeb Shah went away, and returned in ten days with twelve thousand Peris, supplied with richly adorned tents and every kind of convenience. They proceeded, and presently came to the kingdom of Suheel Shah. Information was speedily given to the king that an immense army was in sight: Suheel Shah sent his wuzeer with an army of Peris to reconnoitre their motions, and bring an account of their intentions. The wuzeer requested to know from whence they came. Indaleeb Shah replied by mentioning his name and history, his hopes and expectations. The wuzeer was pleased, and went to the king with the information. The king directed him to be entertained in the garden of joy.

About three days, Indaleeb Shah and Hatim proceeded to the presence of Suheel Shah, and, after much agreeable conversation, they came to the main question. The Shah said, "the history of the origin of this pearl was once known to me, let me now hear it from you." Hatim prayed fervently, and at length he began to detail the story of the pearl, to the great surprise and astonishment of Suheel Shah, who acknowledged the truth of the statement, and ordered preparations to be made for the marriage of his daughter. He called together twelve thousand Peris, and forty days were passed in previous feasting and rejoicing. On the day of the marriage of Indaleeb Shah and Gool Chilra the wonderful pearl and four vessels of gold were given to the bridegroom, and a great number of other valuable presents. Indaleeb Shah afterwards surrendered the pearl, according to promise, to our hero, and directed four Peris to attend him on his return, to escort him over the dreadful river, and beyond the limits of the kingdom of Chundum Dew. Hatim again saw those Peris to whom Muztrub Shah gave the government of Chundum Dew's dominions: they were kind and hospitable to him. Three days after, he arrived at the throne of Muztrub Shah, who received him with great affection and respect. Muztrub Shah then directed the Peris to transport him to Shahabad, which they did with great velocity and care.

Hatim having entered the city, the attendants of Hussun Banoo gave notice that the prince of Arabia had returned. The prince of Syria descended from his mansion, and received Hatim at the door. The splendid tapestry was suspended between them and the princess. The young men were again seated on richly ornamented chairs, and Hatim displayed the pearl to Hussun Banoo, who, raising her head, said "bless thee, young prince, thy father and thy mother! What distress and embarrassment hast thou not undergone for another! Six journeys of danger have thus been brought to a happy termination: one more, and I am thy hand-maid."

## RYOTS' PROPERTY IN LAND.

*To the Editor of the Asiatic Journal.*

SIR: In order to explain what is meant by "*ryots' property in land*," I annex a translation of an original agreement (No. 1), by which one ryot in the Carnatic agrees to cultivate the land of another ryot, to find labour, seed, ploughing-cattle, and to pay all the expenses attending the cultivation, for twenty-eight per cent. of the gross produce. Now, if the sovereign's land-revenue seldom exceeds, when collected in kind, one-half of the gross produce, it follows that, under this agreement, the ryot, who lets his land to an under-tenant, has a beneficial interest in the land, which yields him a surplus income, after paying the public revenue, and all expenses of cultivation; while the under-tenant, who tills the ryot's land on the *métayer* system, also obtains a subsistence for himself and cattle out of the apparently small portion of the gross produce claimable under the contract, by which he cultivates the land. So a zemindar's beneficial interest is the difference between what he receives from the ryots, and what he pays to the sovereign; this interest being, like any other interest, liable to increase or decrease, according as it is well or ill managed. The amount payable by the zemindar to the sovereign is permanent. The *rate*, payable by the ryot, is fixed by custom, agreement, or law, but not the *amount*. The amount fluctuates with the extent of land under cultivation. If a ryot extends his cultivation from fifty to seventy acres, and the customary tax be one pound per acre, the revenue receivable by the zemindar, as the sovereign's delegate, will increase from fifty pounds to seventy pounds; but ryots can of course enter into specific agreements, for a specific amount, payable in grain or money. The general practice is meant to be described here, and not the exceptions.

The other document (No. 2) is called a translation of a mortgage bond, but it is in fact a lease of land for five years, on the condition of receiving a rent in kind, free from all charges for "*Circar's rent*," (meaning the sovereign's revenue), and all agricultural expenses.

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### No. 1.

*Translation of a Vara Adayala Yadirnada Chitoo, a Counterpart Agreement from an Hereditary Owner of Land to an hired Cultivator; dated 20th Aune of Etchia Year, answering to 30th June 1806.*

I, Rama Sawmy Eyen, of Mangala Naikypooram, do give this agreement to Veera-badra Voodian, residing in Adicherry, in the vicinity of the said place, that is to say:

As you have this day undertaken to cultivate four vallies out of my nunja land, I have, for the purpose of enabling you to cultivate the said four vallies of land, lent to you, first, a quantity of forty cullums of seeds, as well as forty cullums of grain for tuscooley or labourers' allowance, in all cullums eighty, for both seeds and tuscooley, and also the sum of twenty-five pagodas, in ready money, for the purchase of bullocks. As you have received the above contents from me, you are to cultivate with attention the said four vallies of land, in proper season, and in the same manner as the other cultivators may do; and to receive a share of twenty-five per cent, as well as three per cent. for calabaty,\* on the net produce of the grain, which may appear after deducting the gross charges according to the Company's regulations; and then from your own share you are to return to me the said forty cullums of seeds, with an addition of three cullums and four merealls, on account of the wastage sustained in drying

\* Allowance in grain to field labourers.

drying the paddy for seeds, making forty-three cullums and four merealls, as well as forty cullums of grain for tuscooley, in all cullums eighty-three, merealls four; and then you may appropriate for your own use the surplus revenue, if there remain any due to you after discharging the principal sum of twenty-five pagodas (being the value of the bullocks), without any interest; but, on the contrary, if there appear any deficiency, you are to pay the same in ready money. The straw which might be produced should be divided in equal shares between you and me. If you incur my displeasure in carrying on the cultivation, I would employ any cultivator I like, and then carry on the cultivation. I, Ramia Sawmy Eyen, the Meerusy inhabitant, have given this counter part agreement to Veerabadra Voodian, an hired cultivator. This counterpart agreement was drawn by Ramia Pillay, the village conicoply.

(Signed)

RAMA SAWMY EYEN.

Witnesses signed :

ANNAVIEU.

RAMIEU.

A true translation.

C. RANGIAH, interpreter.

## No. 2.

*Translation of a Deed of Mortgage, dated 20th Vyasy of Veebava Year, answering to the 30th May 1808.*

I, Camatchien Eyen, of Letchumy Narrainpooram, do give this mortgage bond to Vydenaudieu, of the same place, that is to say :

The village consists of sixteen shares, of which two belong to me, which I have this day mortgaged to you; consequently you are hereby empowered to enjoy the same, together with its appurtenances, such as nunja and poonja, groves, wells, adicherry, paricherry, trees, tetu, tedul, tank, springs, &c. including the collection of ready money, by incurring yourself at the same time all the expenses attending the Circar's rent, and all other description of charges of the villages, and by continuing to me, as the proprietor of the land, an allowance of twenty cullums of grain for my two shares, and ten cullums per each share per annum; you are to enjoy my two shares by continuing, year by year, the said allowance of grain to me (as the proprietor of the land), from the year Veebava (or 1808), to the month of Vyasy of Angerasa year (or May 1812), being five years, at ten cullums in car grain, and ten cullums in pesanum grain. On the 20th Vyasy of Angerasa year (or the 30th May 1812), you are to discharge the Circar's rent, the inhabitants' share, and all other charges attending my said two shares, and then to restore my shares without any molestation.

Thus I, Camatchieu, have given this deed of mortgage to Vydenaudieu.

(Signed)

CAMATCHIEU.

Witnesses signed : MOUTUSAWMY EYEN,

ANNAVIEU,

RAMIEU,

VEERAJAVIEU.

A true translation.

C. RANGIAH, interpreter.



## SCIENTIFIC EXPEDITION TO EGYPT.

IN p. 296, we gave the substance of some communications, which had appeared in the French journals, respecting the progress of M. Champollion and his colleagues in Egypt; we add a further account, from the correspondence of M. Lenormant, which furnished the major part of the particulars contained in our former report.

We left the expedition on its passage to Syout, where it arrived on the 9th November. This is, at present, the capital of Upper Egypt; that is (says our letter-writer) "it contains a good number of Turks, some poor mosques built in the modern style, and exhibits an appearance of life and activity." The country about it is well cultivated; the gardens are numerous and in good condition; in short, the environs of Syout resemble those of Cairo. It is remarkable, he observes, that the burial-place is kept as carefully clean and decent, as the abode of the living is black and filthy. "Undoubtedly," he adds, "there are here, as it were, some relics of the ancient notions of the Egyptians in regard to sepulture; and this reflexion imparts a higher degree of interest to this fragile but graceful creation of the modern people of this country. There are also, in the mountain, some hypogei; but they are much injured, and possess little to attract attention after those at Beni-Hassan."

After leaving Syout, we entered Thebais under the most favourable circumstances. There is no reality in the image portrayed in Europe of this part of the country, the very name of which conveys to us the idea of a frightful solitude. The landscape, which becomes more and more animated at every step, the villages, which increase in population, the vegetation, which improves in luxuriance, afford every moment a formal contradiction to our vulgar notion. The experience of every day, so far from weakening, confirmed this impression; and I now look upon Thebais as one of the prettiest countries in the world.

On the night of the 18th we arrived, or at least we thought we had arrived, at Denderah, which we had been as ardently longing to see, as if it had been the first grand monument we should behold in Egypt. It was a beautiful moonlight night, and we thought we could not do better than start off, on foot, after supper, towards the spot where we expected to behold the mysterious aspect of the temple, at this calm hour. But we had, unfortunately, stopped a league and a half short, and were obliged to make a journey of two hours before we could get to the place. We thought ourselves, in the end, amply repaid for our labour, by surveying, in the serene splendour of the moon and by the light of a straw fire, this magnificent portico, which, though it is not, as some have pretended, the finest object of the kind in this country, yet maintains a rivalry with the Pharaonic wonders erected near two thousand years before it. By daylight, next morning, we could clearly perceive in what points this gigantic monument discovers that it belongs to the art in its last period of decay in Egypt. But there can scarcely be an object of greater admiration than an edifice, conceived in the proportions of the most colossal Roman structures, erected at a period when Egypt had passed from the dominion of the Persians to that of the Macedonians, and was about to be subjected to the yoke of the Romans, then to perish altogether,—religion, manners, and institutions!

In their progress from Denderah to Thebes, they stopped at Coptos and Apollinopolis Parva, where they found a few remains. They reached Thebes on the 19th November. Of the aspect of these imposing ruins, M. Lenormant gives the following sketch.

Figure to yourself a space of about six leagues in circuit, bounded by two chains of mountains, by which a magnificent river is divided into two unequal parts, stuck full of vast masses of columns and gigantic ruins. On the right are three principal centres, severally

severally distinguished by the names of Quoorah, the Memnonium, and Medinet-Abou. In the midst of the plain appear the two colossi, the loftiest of which has acquired so much notoriety under the title of the "Colossus of Memnon." The Lybian mountain is pierced with an innumerable multitude of hypogei; and in an interior valley are found the tombs of the kings, known by the name of Biban-el-Malook. To the left, two wretched villages partly conceal the imposing ruins of Luxor and of Karnak. The last and nearest swell of the Arabian mountains, where some ruins are still found, marks the extremity of the ancient city, the circumference of which cannot have been less than that of Paris.

The intermediate space betwixt each of the groups of ruins has been for a long time past covered with a thick bed of soil, owing to the progressive elevation of the slope, so that the eye can no longer discern the connexion which must have subsisted betwixt parts now so far removed from each other. This is no reason for concluding that the connexion did not subsist, or that the ancient Egyptians encamped, like the Bedouins, around their great buildings. This notion should give way to the evidence derived from the appearance of the statues still standing on their pedestals, the top of each of which is covered with upwards of eight feet of vegetable earth.

This city had many wonders and many novelties in store for us. Upon reaching the great court of Medinet-Abou, M. Champollion discovered that a whole dynasty of kings, which he fancied he had fixed upon an immovable basis, must be overturned, and a new series established in its place, according to the evidence of an incontestable monument.

We are apprehensive that many of M. Champollion's superstructures are equally baseless.

The character of the ancient Egyptians appears to our author under a different aspect at Thebes than in other parts of the country. In other places, he says, they seemed to be a gentle, persevering, but above all a theological people. At Thebes, they assume the form of a warlike giant; they possess all the features of barbaric strength. The great monuments of Thebes are dated by M. Lenormant, in a regular series, from the period of the expulsion of the shepherd kings, about 2,000 years before Christ. The earliest belong to the age of Mœris, celebrated by his prodigious works of public utility, and whose mild and handsome physiognomy, as represented on the relics, he adds, corresponds with the idea which history has transmitted of him.

The epoch of Mœris is not that of the most astonishing conceptions of the art, but it is certainly that of the most perfect works. All the monuments which belong to this reign are distinguished by their elegant, delicate, graceful, and careful execution. This character of perfect simplicity is preserved till the reign of Mandoueh, inclusively. This king seems to have been the first conqueror after the restoration.

The *chef-d'œuvre* of the historical basso-relievos of Thebes represents the return of Mandoueh, after his conquests, which is sculptured upon the external wall of the palace of Karnak. The king in his chariot, drawn by two fine horses, is followed by the principal chiefs of his army; he advances towards Egypt, which is represented by a transverse line, shewing the Nile, just as the Greeks would probably have done, on the like occasion, at their most flourishing period. On the opposite side of the river, priests and military chiefs approach in two lines, the former bend towards the king, holding up to him long branches of the lotus; the latter raise their arms in token of joy.

A plaster cast of this great basso-relievo sent to France, will modify considerably the ideas which have been formed respecting Egyptian art. Although it be admitted that all the heads are in profile (or if any are front the expression is extravagant and badly modelled), and that no idea whatever of perspective can be discovered; yet it must also be allowed, that amongst no people whatever have dignity of representation, propriety of action, and a monumental disposition of masses, been carried to a greater pitch of excellence than in this basso-relievo, and several others, the smallest of which is twenty feet

feet high. It is a species of Scriptural sculpture, which possesses all the majesty of the prophecies and almost all the truth of Homer.

The art lost some of the delicacy which it possessed under Mæris, but it kept up its character in a remarkable degree till the time of Amenophis II. The monuments of this period have been worse treated than the former by wanton caprice, as well as time : there remain only the colossi of the plain, some shapeless relics of the great palace which he caused to be built on the western branch of the river, and the most ancient portion of the palace of Luxor. But these relics suffice to enable us to fix the reign of this prince as the limit between the finished and graceful period of the art under Mæris and the colossal conceptions of Sesostris. It is at this point that the Egyptian art became truly appalling, reviving some of those painful feelings which are excited by the pyramids.

How much soever I may be a slave to sense in these matters, it is not enough for me to be astonished by proportions and delighted by forms. I wish arts to commemorate the good of the human race ; it is for that object that I chiefly love them. Here, however, they almost invariably proclaim the effects of pride and despotism. The gigantic creations of the last of the Egyptian conquerors, at Medinet-Abou, merely agitated without touching my heart, and it is with pleasure I record that Egyptian art was carried to the utmost degree of splendour by pacific princes and liberators of their land, and deteriorated by conquerors.

The expedition quitted Thebes on the 26th, and on their way to the first cataract, they stopped at Hermonthis, and the wind being foul, they remained a whole day near a temple of the Ptolemys, where, if we are to credit the account of M. Lenormant, they made a curious discovery. This temple, he says, is a splendid testimony to the degradation of the last Cleopatra. A little chamber behind the sanctuary is called, in the hieroglyphic legend, "the Chamber of Delivery." Cleopatra is there represented in the very act of being delivered, under the name and figure of the Egyptian Venus, bringing into the world a new Horus, who is no other than Cæsarion, the son of Julius Cæsar. At the door of the apartment she is again represented, feeble and still in pain, supported by the Egyptian Lucina, and attended by the god Ammon himself ; the father of the gods carries his kindness so far as to caress the infant, who, in another place, is represented as a great boy, paying his visits to the principal gods, who clothe him with their respective attributes. In the sequel, the new Horus becomes the god Ammon himself. He is seated magisterially upon the symbolic lotus, guarded by Typhon, the emblem of evil, who keeps off the profane. "All these representations," says M. Lenormant, "are in a poor, flashy style, worthy of the subject. It is obvious, too, that the temple and the sculptures were executed with a precipitation proportioned to the impatience of a woman like Cleopatra ; but it is plain that the aspicks put a stop to this mummery, and that this monument of disgrace and ridicule was left unfinished."

The expedition reached Esneh on the 29th of November, where M. Lenormant convinced himself of the blunders occasionally committed by Denon and his companions, in mistaking modern for ancient edifices. At Esneh is a recent structure, which Denon pronounced to be the master-piece of ancient Egyptian skill. M. Champollion, in the mean time, had crossed to the other bank of the river, in search of the temple of Contra-Lato, and had the mortification to find that he had arrived just ten days after the total destruction of that edifice. A similar circumstance occurred the next morning with regard to the temple of Elythia, which, observes our author, was the more serious, because this was a relic of the great Sesostris. "Adding to these two temples, the two of Elephantina, the largest of which was perhaps the most perfect monument in Egypt, and the little temple of Ombos, the major part of which has

has been carried away by the Nile, an accomplice of the Turks, as at Antæopolis, here is a list of five demolitions, in addition to the five or six mentioned in my former letters. One might safely lay a wager that, if the European powers do not interfere, in twenty years' time there will not be a single ancient building left in all Egypt." This is really a matter of serious importance to science. The edifices of ancient Egypt are not merely monuments of architecture, as those of Greece and Rome, but authentic historical records, which may prove of vast utility.

From Elythia they proceeded to Silsilis, whence the stone used in the buildings of Thebes was taken; the quarries are full of inscriptions, and are therefore themselves monuments of ancient times. There are, also, some temples cut in the rock. Between Elythia and Silsilis are two grand temples, that of Edfou and Apollinopolis Magna. The former, which is in better preservation than the temples of ancient Egypt in general, presents an imposing mass; but its details, mingled with the sculptures of the Ptolemys, are fanciful, and inconsistent with the severe and solemn character of the true Egyptian style. At Ombos there is a grand temple of the Ptolemaic era, but of a better taste than that of Apollinopolis. Its situation is extremely good, being built on an isolated hill, just at a curve of the river. The sands of the desert have, nevertheless, invaded the sacred enclosure, and scarcely a third part of the columns of the temple can be seen above the sand. "Whilst we were repining," says M. Lenormant, "at being able to meet with no buildings but such as were only 2,000 years old, in making a circuit of the enclosure, I perceived a little door which seemed to be built in the wall like a relic; on approaching it, I read the name of *Mæris* and queen *Amepsch*, his mother, and I attributed this mode of preservation to a religious regard on the part of the builders of the new temple towards the few relics of the ancient building left perfect by the Persians." This discovery having put him on the scent, he soon detected, amongst the dilapidations, many fragments of the ancient edifice which had been employed in the modern building; and it would appear that M. Champollion was enabled to collect sufficient data to give the dedication of the primitive temple in a perfect state!

M. Lenormant is not so entirely engrossed with antiquities, as to be inattentive to modern scenes and manners in the country; he gives occasional sketches of them, which are lively and original. We subjoin an account of their entertainment at the mansion of a Turk, soon after departing from Syout.

The evening after we left Syout, we reached a village named Saoodjî, which nothing indicated to be a place of importance. We determined, therefore, to set out again at daybreak next morning, when we perceived upon the bank of the river a house of good appearance, well lighted up, and resounding with the music of three or four miserable instruments. Whilst we were asking each other what all this could mean, a message came from the master of the house, inviting us to pass a pleasant evening with him. Supposing we should be the guests perhaps of some second or third-rate racheff, M. Champollion preferred sleeping to complying with this invitation. I therefore undertook, with three or four of my fellow travellers, to represent France in this visit to the local authority. We were somewhat surprised at the number of the servants and the splendour of the mansion; but the Turk himself was so completely intoxicated when we arrived, that we thought ourselves privileged to treat him without ceremony. He took all in very good part, got still more drunk, and would not let us go away till two o'clock in the morning, after partaking of an exquisite supper. We made a kind of vague promise to return next day and renew the debauch; but as we had not come into Egypt to lead a life of dissipation, in the forenoon of the following day we quitted the place and disembarked again, a little way off, at the small town of Ak-

meen, where there are some antiquities to be seen. Returning from our scientific pursuits, we found a handsome canja made fast to our vessel, laden with seven sheep, a hundred fowls, butter and cheese. A letter from the governor of the province, with whom we had formed an acquaintance over night, without being aware of it, and from whom these presents came, upbraided us with our incivility; his generosity added keenness to his reproaches. We considered for a while, and after some hesitation turned back again. I shall not attempt to describe the magnificence of this memorable evening,—the profusion of the banquet, the music, the dancing,—in short all the details of one of those entertainments, on which the Turks pride themselves. In a word, peace was negotiated and signed, with the brimming glass in hand; the Turk had excellent wine, and we did justice to it. We retired, after an eight hours' sitting, delighted with having acquired, at such a small expense, so warm a friend.

Another sketch exhibits a life of a different nature. It is a picture of the independent Arabs:

Next day we paid a visit to a village of Ababdeh Arabs, a people intervening betwixt Egypt and Nubia, and who live a patriarchal life beneath some of the finest palm trees in the world. As these tribes, some years back, were completely independent, and now pay only a nominal obedience to the authority of the pacha, misery has not yet troubled their existence, nor marked with its talons their handsome countenances. The agricultural Arabs, as these are, have not that harshness and obliquity of character which a desert life imparts to the Bedouin; and whilst they are not degraded and attenuated like the Fellahs, the calm life they lead gives to their features and to their actions a peculiar softness and tranquillity. So little is wanting under their pure sky, that their low huts, which are tolerably clean and well furnished, are by no means disagreeable objects to the eye, and do not disturb that pleasing impression which pre-occupies the mind. Every thing is to be found amongst them which can be required to satisfy those wants which were known in the age of Abraham: a mat and coverlid for sleeping, a mill, water, large earthen vases, flocks of sheep to furnish milk as well as wool, and trees to supply fruit. Some fields of dhourra (grain), and beautiful plantations of the vine, complete the wealth of the tribe. The women weave the wool, and make the earthen vessels required for domestic use. Superfluities alone are obtained without the village, such as glass beads for necklaces and bracelets, large rings for the ears and nose, and oil of cedar for perfuming the hair. The women are well shaped, and as handsome as bronze statues, graceful in their manners, and by no means so unsociable as the Egyptian women; they appear to enjoy a reasonable degree of liberty, and to maintain their proper place as mistress of the house. The men are tall and extremely well-made; their countenances are mild and open. They carry a lance, arrows, and buckler, as in the time of Moses; and their hair, plaited in long tresses, gives them the same appearance as the Egyptian sculptures.

The last letter of M. Lenormant is dated from the island of Philoë, 8th December. This appears to be the boundary of M. Champollion's journey; but our author was preparing to proceed into Nubia, as far as the temple of Semmeh, situated a day's journey beyond the second cataract.

The island of Philoë, which is tenanted by three women, becomes of necessity the property of the first occupant, who gives it up to the traveller who follows him. Its monuments are of the Greek and Roman era, but their state of preservation renders them valuable. M. Lenormant speaks of the exquisite effect produced by the colours of the ruins, which other travellers have not noticed. "But for this," he says, "the monuments of Philoë would probably be inferior to those of Adfou; in their present condition they are precious, and the very worst sculpture acquires a charm from the harmony and variety of the colours."

## MINISTERIAL CHANGES AT PEKING.

*To the Editor of the Asiatic Journal.*

SIR : I avail myself of an opportunity, now presented, to send you a few lines from this distant region. We have here heard of your changes in the ministry at the court of St. James's, whilst we in China have experienced changes also in the same department of the state. With you, the changes occurred because the statesmen disagreed among themselves. With us, they occurred because the sovereign was displeased with his ministers.

Our monarchs no sooner ascend the throne than they commence the erection of an imperial mausoleum. The "*felicitous ground*" to be occupied "*ten thousand years*," is not left to the choice of the emperor's survivors. He chooses his own tomb, and buys his own coffin, all in imperial style, as soon as he possesses the right to such high honours. His present majesty, now in the eighth year of his reign, has spent 500,000 taels—half a million of dollars—on the place of his final sepulchre. And—only think !—after spending all this money, the other day, when he visited the place in person, he found the vault designed for his remains half filled with water ! What an event ! after eight years' toil, and half a million of dollars' expense, not to have a dry grave ! There are only two evils, after death, that we Chinese fear, in regard to our bodies ; they are a watery grave, and a white-ant sepulchre. Wherever pebbles or sand are found, the geomancers predict a watery grave ; and wherever parched and blasted vegetation appears above ground, they anticipate a white-ant tomb.

Well ! but all this explanation is beside our immediate purpose. His majesty found at the hills of imperial sepulture, that his ministers, headed by a king, in the teeth of the geomancer, had fixed for him a watery grave. His indignation was roused to the utmost ; and his orders have arrived at Peking to degrade, and try, and punish all persons concerned in the expenditure of half a million to so little purpose : for he believes that it is not only to no good purpose, but to an evil one. The king Chwangtsinwang is dead—he cannot be punished, in his own person, by the emperor ; but his majesty has inflicted punishment upon his sons. The living ministers concerned in building the mausoleum are degraded, and ordered to court to stand their trial. Old Taekeunyuen is now in his eightieth year, and he is hurled from the highest honours to the condition of a prisoner. Yingho, who assisted mainly in placing Taoukwang on the throne, is dismissed entirely from his majesty's service, &c. &c.

Your's truly,

*China, Dec. 10th, 1828.*

\* \* \*

P.S. The recent death of his majesty's younger brother, by a different mother, in the twentieth year of his age or a little more, has caused strange surmises. The late king Suystsinwang was intended by his father, the emperor Kea King, for the throne. The father died very suddenly, on the high road, going to Tartary. The beloved son did not succeed. Taoukwang, the elder brother, who has behaved very ill (it is said) to his step-mother, ascended the throne. He has an only son, a stupid boy. But this boy must succeed to the throne ; therefore the late young king, like his father, has been assisted out of this life. Such is the surmise.

Another tale is, that the late king destroyed himself by a profligate course of sensuality. His father kept a harem of boys ; and the young son followed the example of his father. Such is the state of the first society in *this* celestial empire.

## THE LANGUAGE AND HISTORY OF JAPAN.

In a memoir on the introduction and use of the Chinese characters in Japan, which was read before the Asiatic Society of Paris in January last, M. Klaproth has, with his usual industry and research, investigated a subject which has hitherto been regarded as almost hermetically sealed against the inquiries of European scholars, but for the examination of which, it would appear, there exist some facilities.

During the last century, several instances have occurred of Japanese vessels being driven by bad weather on the coasts of Kamtschatka, the crews of which, having consumed the short supply of provisions which they had laid up for their little voyages from port to port in their own country, were always in the utmost distress. They were received with hospitality by the Russian authorities at Kamtschatka, who, conformably to their instructions, conveyed them to Irkutsk: the law of Japan forbidding, on pain of death, the return to the empire of any native who had once quitted it. The empress Catherine II., wishing to turn this circumstance to account, established a school of navigation at Irkutsk, and also a professorship of the Japanese language, to be filled by a native of Japan, who should teach his maternal tongue to Russian pupils.

In 1805 and 1806 M. Klaproth resided some time at Irkutsk, at which period the professor was a Japanese named Sinsu, who, having embraced the Greek religion, acquired the Russian name of Nicolay Petrovich Kolotygin. By the aid of this person, and the help of a Japanese and Chinese dictionary which he procured at Irkutsk, entitled *Faya-bibi-se-ts-iyoo-sio* \* (in Chinese *Tsaou-yin-tseé-yung-tseih*), or, a "collection which teaches with promptitude the use of terms,"† he applied himself to the study of the Japanese language.

Besides the dictionary just mentioned, which is extensively circulated in Japan, and of which there are various editions, containing different arrangements of the words, he obtained at Irkutsk the loan of another Japanese and Chinese work, printed at Meyako, in 1703, entitled *Sitsi-e-ro-fa-uta-fon* (*Tsüh-e-lcu-po-show-pun*) or "Manual of the Seven Alphabets." This was a small volume in folio, containing seven syllabic systems or alphabets, at the head of which is placed that form called *fira kana*; then follow the six others, expressed by Chinese characters, somewhat of the cursive kind, generally denominated *yamato kana*, which represent the Japanese syllables. On the right hand of the latter appears their signification in Chinese, given in Japanese and *fira kana*. This great syllabic system is succeeded by the names of numbers, likewise seven-fold, the cyclic characters, and the form called *kata kana*. The most interesting portion of this little work is an introduction, in Chinese and Japanese, containing the history of the origin of the different forms of writing used in Japan, of which M. Klaproth made an extract, which he subjoins, prefacing it with some observations on the origin of Japanese civilization.

"The archipelago," he observes, "which composes the empire of Japan, is inhabited by a people who, at first sight, bear a strong resemblance to the Chinese

\* M. Klaproth has inserted the characters (Chinese) of the various Japanese terms interspersed in his memoir, with their pronunciation in Japanese, represented by kata kana characters, placed beside each. We are thus enabled to add the Chinese sounds, which shall be included in parentheses. We have not, at present, a complete set of Chinese types.

† With deference to M. Klaproth, this does not appear to be the meaning of the Chinese words; *tsé* signifies not "expression," but a "term or period of time." The title according to the Chinese seems to mean "a compilation teaching the early use of opportunities."

Chinese in shape and exterior. In examining carefully their characteristic features, however, and comparing them with those of the Chinese, it is easy to discriminate them, as I experienced when on the Russian and Chinese frontier, where I saw several individuals of both nations together. The eye of the Japanese, although it is placed almost as obliquely as that of the Chinese, is nevertheless larger near the nose, and the centre of the eyelid appears drawn up when opened. This physical conformation of itself indicates a different origin; and the conclusion is confirmed by the Japanese language, which differs essentially from those of the nations surrounding Japan. Although it has adopted a considerable number of Chinese words, these words do not form a radically integral part of the tongue; they have been introduced into it by Chinese colonies, and chiefly by the literature of China, which has formed the basis of that of Japan. The Japanese radicals discover no resemblance to those of the Korean language; they are equally foreign to the dialects of the Aynos, or Kurile inhabitants of Jesso. Lastly, the Japanese tongue has as little connexion with the languages of the Mandshoos and other Tungoos tribes inhabiting the continent of Asia opposite to Japan.

"The genuine history of Japan commences in the year 660 before Christ, with Sinmu, or the 'Divine Warrior,' who is regarded as the founder of the monarchy. From him descended the family of the *daïris*, whom we are accustomed to term 'ecclesiastical emperors.' His name denotes a foreign conqueror. He civilized the barbarians of Akitsoo no sima, which was the ancient name of Japan; it signifies 'the Island of the Dragon Fly,' because the inhabitants fancy there is a resemblance between the form of this insect and that of their country.

"Sinmu and his three brothers, who are said to have reigned after him, were probably of Chinese origin. Their family may, perhaps, have fled from China during the troubles which agitated that country under the Chow dynasty, and taken refuge in some other country more to the eastward, from whence they may have reached Japan. This conjecture appears the better founded, inasmuch as the Japanese know nothing of the events in their own country prior to the arrival of Sinmu, and fill the chasm in their chronicles between this monarch and the fabulous dynasty of the demi-gods, with the names of the early emperors of China. The names of the ancient *daïris* are, moreover, Chinese, not Japanese, which, however, would have been the case if their family had been indigenous.

"After the first Chinese colony which arrived in Japan, under the conduct of the *Divine Warrior* and his brothers, several others proceeded thither, particularly an expedition composed of three hundred pairs of young persons, despatched by the Emperor of China, Tsin-she-hwang-te, across the Eastern Sea, in search of the drug which bestows immortality. They landed in Japan B.C. 209, and there fixed themselves, never more to return to China. The ancient admixture of the primitive inhabitants of Japan with the Chinese is demonstrated by a civilization completely analogous, and especially by the multitude of Chinese words imported into the Japanese language, disfigured by pronunciation.

"Sinmu fixed the duration of the year, and divided it into months and days. He gave laws to the wild tribes, and introduced religion amongst them, or the worship of idols. Until the commencement of the third century after the Christian era, the history of Japan is, however, still fabulous, protracting too long the duration of the reigns as well as of the lives of the *daïris*; inasmuch that from B.C. 660 to A.D. 270, or in a series of 930 years, it reckons but



but fifteen emperors, who succeeded each other, a number far too small to fill so great a space of time.

"It does not appear that the Chinese colonies, which anciently took up their abode in Japan, communicated to its inhabitants the use of a written character, which they perhaps kept as a convenient secret to themselves; for we find that the art of communicating ideas by writing was not introduced into Japan until the third century after Christ.

"It is known that the Japanese at present make use of two kinds of writing, that is, they employ either the ideographical characters of the Chinese, or a system composed of forty-seven syllables, represented by different series of signs.

"Until the time of the sixteenth daïri, named O-zin-ten-ô, the Japanese had no written character; all ordinances and proclamations were promulgated *vivâ voce*. In the reign of this prince began the use of the Chinese characters called *Sin-zi* (*Tsin-tsze*), and later *Kan-zi* (*Han-tsze*), that is, the letters (or characters) of Tsin and Han. O-zin-ten-ô also sent, A.D. 284 (on the sixth day of the eighth moon) an embassy to the kingdom of Fakoo-sai (Pih-tse), which then existed in the south-western part of Corea, in order to search there for men of education, who were competent to diffuse civilization and Chinese literature throughout his empire. This embassy returned with the celebrated Vo-nin (Wang-jin), who carried into complete effect the views of the daïri.

"It is from the time of this personage that the introduction of literature into Japan must be dated. His descendants filled high military posts in the reign of Kouan-moo-ten-o, the 50th daïri, between A.D. 781 and 805.

"The merit of Vo-nin appeared so extraordinary to the Japanese, that they have decreed him divine honours. His principal temple is in the province of Izoomi, and is called Too-vara-daï-mioo-sin. He is adored there conjointly with Giou-to-ten-o, which signifies "the ox-headed celestial emperor."

M. Klaproth then informs us, that from the age of Vo-nin to the present time, the ideographical signs of the Chinese have continued in use amongst the Japanese. These characters, as well as the Chinese language, are employed in works of learning; but this circumstance does not prevent the knowledge of them being extended throughout Japan. As the construction of the Japanese language, however, differs sensibly from that of the Chinese, and as the same Chinese characters often have several significations, it soon became evident; he says, that some expedient was wanting to obviate this inconvenience. In the early part of the eighteenth century a syllabic system was accordingly invented, composed of portions of Chinese characters, and termed, for that reason, *kata-kana* (*pên-keu-kû*), meaning "halves of letters" or "signs of denomination."\* M. Klaproth subjoins a table of these signs, in number forty-seven; and he gives, in a plate appended to his Memoir, the perfect Chinese characters, of which the signs form a component part, except four, which are entire. These *kata-kana* signs are placed by the side of the Chinese characters, to denote their pronunciation, or their signification in Japanese, as well as to mark the grammatical forms of the language, which are embarrassed by the use of ideographical signs. The invention is attributed to Kibi, a grandee of the empire, who died A.D. 775, and who is venerated and worshipped as a saint. The year after the death of Kibi was born the famous bonze Kobo, who invented another syllabic system, called *fira-kana* (*ping-keu-kû*), "equal," or "extended writing,"† which rendered it unnecessary to have recourse to the

Chinese

The characters in Chinese signify "borrowed detached fragments," i. e. of the original characters. The Chinese characters imply "equal separated parts borrowed," i. e. from the Chinese.

Chinese characters at all. These signs are also forty-seven in number, and derived from Chinese characters. The author of the *Sitsi-i-ro-fa-te-fon*, the work before-mentioned, states that the number of the signs was made forty-seven, "in order to conform to the *Fan-zi* (*Fan-tze* \*), or characters of India, which are composed of twelve *mata*, or vowels, and thirty-five consonants." The term *matu* M. Klaproth deduces from the Sanscrit *mātra*, signifying *measure*, and thence *vowel*.

M. Klaproth subjoins some extracts from the great Japanese Encyclopædia, and from the introduction to the *Sitsi-i-ro-fa-te-fon*, in further elucidation of the subject, from whence it also appears that there is another ancient syllabic system, termed *man-yō-kana* (*wan-yō-kea-kō*), which, according to M. Klaproth, follows the same order as the others, but is composed of entire Chinese characters, stiff or in the running-hand form. He inserts a table of these syllabic characters, in the stiff or printed character: the initial characters are the Chinese *e* (by), *leu* (back-bone), *po* (shining like water), which are sounded *i*, *ro*, *fa*, and are employed in the title of *Sitsi-i-ro-fa-te-fon* like our term *alphabet*. M. Klaproth points out a strange mistake into which the learned Dutchman, M. Siebold, has fallen, in his *Epitome lingue Japonicæ*;† who states that "the *manjoo-kana* characters are Chinese, having nearly the same sound in the mouth of a Chinese as in the Japanese alphabet;" whereas we perceive but few of these characters which are sounded alike by both people. For example, besides two out of the three first characters, *jūn* (benevolence) is pronounced *ni*; *paou* (to feed) *fo*; *le* (acute) *ri*; *tsze* (a female) *ou*; *keang* (a river) *ye*; *gan* (tranquillity) *a*; *neu* (a woman) *me*, &c.

Besides these syllabical or alphabetical systems, there is another, composed of Chinese characters greatly abbreviated, and which is called *yamato-kana* [*Wo-kea-kō*],‡ that is, emphatically, "Japanese writing," M. Klaproth adds: "it is rare that writers use any one of these systems (except the *kata-kana*) singly; they commonly blend the letters of several together; and what renders the perusal of such works the more difficult and painful is, that the characters, confused enough in themselves, are moreover connected together by marks which have no affinity to them."

M. Abel-Rémusat, in his copious and elaborate exposition of the Japan Encyclopædia, given in the *Notices des Manuscrits de la Bibliothèque du Roi*,§ states that the *Yamato-kana* alphabet is used only in the province of Yamasiro, in which Meyako, the capital, is situated; and that it is only a variety of the *firo-kana*. We apprehend that M. Abel-Rémusat is entirely wrong in both statements. The Chinese character *Wo* (Japan) is marked with the three *kata-kana* syllables *ya*, *ma*, *to*, which the learned writer seems to have assumed to be derived from the name of the province. With regard to the other statement, if M. Klaproth's table of the Japanese characters be correct, it is manifestly wrong: the *yamato-kana* is nearest the *manyō-kana*, but it resembles least of all the *firo-kana*.

M. Klaproth concludes his remarks upon this curious subject by rectifying an error of Kämpfer, in regard to the history of Japan, who relates, on the alleged authority of the Japanese annals, that "in the sixth year of the fiftieth daïri, Kwan-mu (who reigned from A.D. 781 to 805), a foreign people came, not from China, but from a country somewhat more distant, to attack Japan.

The

\* Characters of the Fan country, supposed to be India.

† *Verhandel. van het Batav. Genootschap van Kunst. en Wetensch.*, vol. xl. p. 78.

‡ *Wo* is the name given to the Japanese in China; *Wo-jin*, "a Japanese;" *Wo-kwō* "Japan."

§ *Notice sur l'Encyclopédie Japonaise et sur quelques ouvrages du même genre*, tom. xl. pp. 123—310.

The Japanese made the utmost efforts to free themselves from this invasion : but their resistance was too weak, because the losses sustained by the enemy were always replaced by the arrival of fresh levies. Nine years after the appearance of these foreigners, Tamabar, a brave and celebrated general, was sent against them, who withstood them with success, entirely defeated them, and killed their *troyi*, or commander-in-chief. Nevertheless, these enemies maintained themselves in the country for some time, and were not completely subdued till the year 1466 of Syn-inu, eighteen years after their first arrival.\* A reference to the annals consulted by Kämpfer proves, M. Klaproth tells us, that these invaders were not Coreans, or Mongols, as might be supposed, but from Wo-siou, the northern most province of the large island of Nippon, and were most likely of the same family as the Aynos, or Kuriles, who still inhabit Jessō, Tarra-kay, and the isles situated between Japan and Kamtschatka, as well as the southern point of that peninsula and the coasts of eastern Tartary near the mouth of the Amour. The annals state that these barbarous tribes first invaded the empire in the early part of A.D. 788 ; that the Japanese general, Ko-sa-mi, fought them gallantly, but failed in expelling them ; that he died in the fourth month of the year 797 ; that his coadjutor Tamoura (not Tamabar) succeeded him, and in the eleventh moon of the same year marched against the barbarians and defeated them ; that in 799, Tamoura again attacked them ; that the war terminated in 802, by the occupation of the entire province of Wo-siou ; and that Tamoura built and fortified the city of Isawa. In other Japanese works, M. Klaproth adds, these invaders are termed *To-i* (*Tung-e*), or " eastern barbarians." If so, we doubt whether the Coreans be not meant : *Tung-e*, " eastern foreigners," is a name of the Coreans in the Chinese books. The character *e*, in the peculiar language of the Chinese, has a symbolical meaning which may afford a clue to its exact application ; it is a compound of *man* and *a bow*.

This ingenious memoir is a very useful supplement to the analysis of the Japanese Encyclopædia, by M. Abel-Rémusat, to which we have already referred, and from whence, we believe, M. Klaproth has borrowed some of his facts, as well as the table of the *kata-kana* signs.

M. Klaproth has appended to his memoir a vocabulary of the Corean language, which is thickly sown with Chinese words, like the Japanese, with which it has, however, no analogy. The vocabulary has been compiled from Chinese and Japanese works, and also from a treatise on medicine printed in Corea. Out of 163 words, however, not more than twenty-three are wholly Chinese. The names of ten (out of twelve) of the lunations are Chinese, disfigured by the peculiar pronunciation of the Coreans.

\* *Geschichte und Besch. von Japan*, vol. i. p. 211.

## MR. UPHAM'S "HISTORY OF BUDHISM."

*To the Editor of the Asiatic Journal.*

THE opinions and *fiat* of reviewers are now happily become so much portions of diurnal perusal, without any further consequence attaching to them, than what they actually owe to their information and sound sense, that few remarks, which were limited to mere criticism, however *severe* or *unfounded*, would tempt me to enter upon any system of rejoinder or justification. The work, which has once passed the press, is thrown on the stream of public opinion; so also is the censure: if well deserved, it ought to become a purifying process of instruction; if otherwise, the just award will finally be made by the right party,—the public, for whom both have indited.

Without attempting, therefore, to expound any of the various points of doctrine and principles, attributed to the Buddhists by the reviewer of my "History of Buddhism," in the *Asiatic Journal* for April, I shall only assert, that the Buddhist doctrine, of the limited existence of all beings, is no more absurd than the precisely similar doctrine held by the ancient Egyptians, which Herodotus so highly eulogized; on which, as well as on many other obscure portions of Egyptian doctrine, the Buddhist writings may be very usefully consulted. The vaunted passage on the immortality of the soul, as held by the Egyptians, when properly explained, being the successive periods of time terminated by a catastrophe by water or fire, as are set forth in the Sackwalle. The assertion put forward in the article in question, that the *nirwana* of Buddhism is equivalent to annihilation or final extinction, I deem to be entirely untenable; for while the doctrine declares the existence and agency of the Budha in *nirwana*, in such terms as are quoted from their doctrine, in pages 74 and 75 of my work, it must be perfectly clear that there is not only existence, but a part of absolute action given; it may be a very imperfect mode, according to our conceptions, or it may suit our notions of "eternal sleep." Let us give it, however, what name we please, the Buddhists teach, that the faithful followers of Guadma shall progress towards, and eventually partake of, the Budha's state of *nirwana*, and that *they shall receive it from Guadma as his gift, and hear his voice*.

Thus, then, notwithstanding the scheme of "periodical destructions," which the doctrine inculcates, there is a preservative germ in each portion of the system, carrying on, in spite of occasional overthrow, eventual perpetuity.

These remarks are not, however, meant to manifest any system of replication, but simply to infer that we at present know in fact too little of Buddhist literature to hazard, without risk, any sweeping conclusions. Sir William Jones, Mr. Colebrooke, and other eminent orientalists, have uniformly expressed an earnest desire to have brought forward as much of Buddhist original doctrine and expressions as is possible; as from a mass of materials much that is useful may probably be elucidated. Whether such materials be sound philosophy, or correctly or grammatically put together, the editor of such matter ought not, and dares not, fairly speaking, to decide. The largest portion of the facts of former times live and were preserved only in legends, usually absurd, and frequently partially erroneous.

To contribute all the usefulness my efforts might bring to such view, I have examined and put together the only published memoranda of Buddhist doctrines then before the public; namely, the papers of Messrs. Buchanan, Joinville, and Mahony, existing in the sixth and seventh volumes of the *Asiatic Researches*; and as the defects and imperfection of their classification are appa-

rent, I have endeavoured to remedy them by exhibiting the whole scheme of Buddhism as a system, many parts of which cannot be found in these gentlemen's papers; such supplies being derived, not from imaginary sources, but from Buddhist transcripts in the hand-writing and with the verification of the well-known Cingalese Modeliar Rajahpakse, and also of Karetotte Oenause, a Buddhist priest in high repute among his class for his intelligence and knowledge of the doctrine. Wherever the subjects admitted of any original matter being introduced, I always used it, without reserve or alteration; deeming it far more useful and essential for real information, than any speculations could become of my own, however set off by language or ornament.

The chapter of the Sackwalle is entirely, from page 77 to page 82, composed of a written communication made by Karetotte Oenause; it decisively, therefore, illustrates that portion of doctrine; and I name the fact most readily, because, if the only quotation made by the reviewer really merit the terms which have been applied to it, the cause of such appearance is, that it is an Asiatic inditing Buddhist doctrine; and its being altogether unaltered arose from the rigid and established rule I acted upon, of introducing every scrap of original doctrine, as far as it became possible, in its original character. The rule may perhaps have been a faulty one; but as I had resolved upon making out and printing the scheme of the Buddhist system before I published the histories which I have announced, so I was desirous that such scheme should, as far as I could make it do so, *speaking its own words*, and demonstrate its own facts; nearly, therefore, the whole of the doctrines are from manuscripts; the construction and arrangement of the parts of the system, and the analogies with other portions of Asiatic and European literature, are my own.

One further point only remains to be noticed, the utter contempt wherewith the possibility of the names of Buddha, Woden, and Fohi being cognate terms, is treated in the sentence, p. 443, of the April number of your journal. I ventured no opinion on this head, as it was foreign from my direct path, and required more time and research than I can bring to it. Many very able writers do entertain it; and the identity of the Budha with Woden is an opinion held by no less a writer than Baron Humboldt, grounded upon his inspection and researches into Mexican antiquities. Without vouching at all for their weight, I would here invite the attention of others, more able, to the following memoranda, which certainly show that it is a point deserving much examination.

*Proofs of Identity between Buddhoo and Woden.*

From the Indian Caucasus, a colony of those whom the Hindoos call *Sakas* and *Chusas*, gradually penetrated into Europe, where their descendants have been known, in more modern times, by the names of *Saxons* and of *Goths*. These are the progeny of the Oriental tribes, known to the Greeks and the Romans as *Sacæ* and *Scuths*, and who subverted the tottering Roman empire. The Scaldic traditions declare, that the worship of their god Woden was brought into Europe by a colony of *Asæ*, or *Asiatics*; and an examination of the ancient authors seems fairly to prove that the theology of the Gothic and Saxon tribes was a modification of Buddhism; and although Buddhoo, in his doctrine, introduced a mild creed, and interdicted the shedding of blood, which the Scandinavian Myths by no means coincide with, the deviation may be accounted for by the disposition of warlike tribes, as the northern nations, engendered by constant habits of combat, and through many centuries sustained in the wild regions of the north, so different from eastern manners and climate. Although the blood-aborrent *Sacya* seems, indeed, widely different from the sanguinary

sanguinary Woden, there is yet the strongest evidence that they are one and the same person.

With regard to name, *Wod* or *Vod* is a mere variation of *Bod*; and *Woden* is simply the Tamulic mode of pronouncing *Buddhoo*; for in that pronunciation *Buddhoo* is expressed *Vooden* or *Poden*, which is the same word as *Voden* or *Woden*.

Sir Wm. Jones, whose enlightened views penetrated into the system of Indian philosophy and mythology at a very early period, hesitates not to draw the same conclusion in the first volume of the *Asiatic Researches*, as follows: "Nor can we doubt that *Wod* or *Odin*, whose religion, as the northern historians admit, was introduced into Scandinavia by a foreign race, was the same with *Boodh*." Page 425.

It were too long to enter on any dissertation to prove these points, nor is it the object of the present remarks to force any constructions upon the reader of the following passages; but solely to direct his attention to those particular works which furnish materials for illustration and detailed information.

Buddhoo, after his birth, is assailed by the rebel Assuras, and deserted by the gods, when the earth, or central abyss, pours forth a flood, which preserves Guadma and defeats the giant Assuras.—*As. Res.* ii. 383, 386; vii. 33.

Buddhoo, although the same person as Menu Sattayavratra, is said to marry Ida, the daughter of that personage, that is, his own daughter.—*As. Res.* vii. 411.

Ida, or Ila, whom Buddhoo marries, denotes the earth, or the world.

Ila-vratra and Chuckia-vratra are the great outer mystic ring of the world, in Braminic and Buddhist doctrine.

Buddhoo is the presider over obsequies; and, as Nara Vahana, the conveyor of souls to places of eternal bliss.—*As. Res.* ix. 173.

Thus the south continent, or earth where Buddhoo doctrine only can be taught, is termed "the ford of nirwana," or passage to eternal bliss.—*As. Res.* vi. 186, 224.

Buddhoo is the great teacher and conveyor of knowledge.—*As. Res.* ii. 220, 221. invention of the Runic characters, and he is said to be skilled in writing as well for the common purposes of life, as for magic.

Thus the Runes are described as "letters which the great antient traced, which the gods composed, which Woden, the sovereign of the gods, engraved."—*Mallett*, c. xiii. 371—2.

The Japanese Buddhists have a temple which they call the Temple of the White Horse.—*Kampfer's Japan*, 247.

The footstep of Buddhoo is known over all the East.

near the river Tyras, or Dneister, they shewed an impression of the foot of Hercules, cut in a rock, two cubits in length.—*Lib.* iv. cap. 82.

Thus the whole race of the giants perished in a flood, except one, who escaped in his bark; and at this period, a cow produced Bure, the father of Bore, who begat three sons, *Woden*, and *Vile*, and *Ver*.—*Edda*, fab. 3.

Woden, the son of him who was born from the symbolic cow, is declared to be the husband of the goddess Frea.

Freia, also, was denominated the mother earth, the mother of the gods, and no less the offspring than the consort of Woden.—*Edda*, fab. 5.

The Goths called the high central plain of their hero-gods, Ida.—*Ib.* fab. 7.

Woden received the souls of those who perished in battle, and, in conjunction with Fryea, conducted them to the Hall of Glory.—*Ib.* fab. 7.

He also descended into Hades, and returned in safety and triumph.—*Mallett*, c. vi. pp. 89, 94.

Woden is not only the god of war, but also of letters. To him is ascribed the

Woden, mounted on his horse, descended into Hades.—*Edda*, fab. 31.

Thus, in the progress westward of the Gothic tribes, Herodotus informs us, that

Buddhoo gives his name to the fourth day of the week, which from him is called Bhoodwar.

Plutarch speaks of a certain traveller, Demetrius, whose curiosity had led him to visit the most distant extremities of Scotland: he described that part of the country as being surrounded by a great number of scattered and desert islets, some of which were expressly called the islands of the demons and heroes venerated by the natives.

In the celebrated inscriptions found at Gaya Bahar, Buddha is addressed as *Sucya* and the *Thacur*.

Ameracoshia, the celebrated philologist, and supposed author of the temple at Gaya (Moor, 233), has eighteen names in his Sanscrit dictionary for Buddhoo: Muni, Sastri, Dherma Raja, Sakyasingha, Saudhodana, Guadma, Arkabandu, Kinsman of the Sun, &c.

Jayadeva, in the *Gita Govinda*, terms him Heri, Lord of the Universe.—Moor, 234.

The white horse is ascribed to the Buddha, as appears in the Bali.

Thus Woden communicated his name to the same day. In Icelandic, *Wensdag*; Swedish, *Odinsdag*; Low Dutch, *Woensdag*; Anglo-Saxon, *Wodensdag*; English, *Wednesday*; that is to say, "the day of Woden."

Of their sacred isles, which in the time of Demetrius were designated by the titles of the British demon gods, four still bear the denominations of Bute, Arran, Ila, and Skye; or Buddhoo, Arhan, Ila, and Sakya.

The white horse appears in the arms of Saxony, in allusion to the god Odin. The same illustrious emblem also designates the Hanoverian shield.

Odin's paradise is in perfect accordance with the Dewa Loka; but as it is merely intended to hint at the subject here, to prove the striking facts, which certainly require more investigation than they have received at the critic's hands, I will only add an extraordinary and powerful remark of Baron Humboldt's.

In the kingdom of Guatimala, the inhabitants of Twchiapan had preserved traditions that went back to the epocha of a great deluge; after which, their ancestors, led by a chief, called Votan, had come from a country lying towards the north. In the village of Teopincan, there still existed, in the sixteenth century, descendants of the family of Votan or Vodan. They who have studied the history of the Scandinavian nations, in the heroic times, must be struck at finding in Mexico a name which recalls that of Woden, or Odin, who reigned among the Scythians, and whose race, according to a very remarkable assertion of Bede,\* gave kings to a great number of nations.—Humboldt. i. 173.

For the four names or signs of the Mexicans, *house*, *rabbit*, *cane*, and *flint* (*calli*, *tochili*, *acatl*, and *tecpatl*), the Chiapanese substituted those of *Votan*, *Lembat*, *Been*, and *Chinar*, four chiefs celebrated in their historical annals. We have already fixed attention on this Votan or Wodan, an American, who seems to be a member of the same family with the Wods or Wodens, of the gods and nations of Celtic origin.—*Idem*, 319.

It is curious to see the names of *Boudvar*, *Wodansdag*, *Wednesday*, and *Votan*, denote, in India, Scandinavia, and Mexico, a day of a small period. According to the ancient traditions, collected by the Bishop François Nunnex de la Viga, the Wodan of the Chiapanese was grandson of that illustrious old man, who, at the time of the great deluge, in which the greater part of the human race perished, co-operated in the construction of the great edifice, which had been undertaken by men to reach the skies: the execution of this rash project was interrupted; each family received from that time a different language, and the great spirit, called Teotl, ordered Wodan to go and people the country

\* Bede, *Hist. Eccles. lib. i. c. 26.*

country of Anaperai. This American tradition reminds us of the Menu of the Hindus, of the Noah of the Hebrews, and the dispersion of the Cushites of Shinar.

Compare this tradition either with those of the Hebrews and Indians, preserved in *Genesis*, or in the *Puranas*, or with the fable of Xelhua, the Chellulan, and other facts cited in the course of this work, it is impossible to avoid being struck with the analogy which exists between the old memorials of the people of Asia and those of the new continent.—*Idem*, i. 320.

I have now penned all my reply, and part from my review, with the most amicable feelings, which no object of mere praise or blame, as far as I can command the springs of thought, shall ever disturb.

I have, however, one point to set him right in, not of criticism but of fact, and of importance to me, as his remark may go where its import and information might injure; I mean as to the publication of the *Mahavansi*, and two other Cingalese histories, being abandoned by me. So far is it from being the case, that I conceive the "History of Buddhism" to be only their precursor; and I have actually printed off new sets of prospectuses, which, at the time of his writing, were appendixd at the end of the new work.

These works must occupy now my time, and exercise my strongest powers of application; they would ere now have been printed but for the plain fact, that the subscribers' list was inadequate to supply the means. They were originally proposed to the public as a subscription work, and if the public are not enough interested in their contents to support their publication, neither am I prepared to risk a serious loss for their appearance. Perhaps the writer has happily had no call to undergo the labour of preparing lists of names, a task necessarily of much delay and labour, and to this hour not adequately performed: enough, however, is accomplished to insure their publication in the season of 1830, an assertion which it becomes me to desire may, together with this letter, be made public by your journal, as an unfavourable impression to the contrary must, if uncontradicted, be assumed from the inference given by the reviewer.—I am, Sir, your faithful humble servant,

16, Berners Street, 23d April.

EDWARD UPHAM.

## THE INDIGO PLANTERS OF BENGAL.

*To the Editor of the Asiatic Journal.*

Sir: From your leading article in No. 159, of March last, it appears that the meeting at Liverpool recommend the indiscriminate introduction of Europeans into the interior of India, and you quote Bishop Heber's authority to prove the danger of such a measure; you may have my authority to boot,\* if it will be of any service to you. I was ten years in India, and during part of that time, lived in the interior, among the indigo-planters; and in all my life, I never witnessed such a tyrannical, arbitrary, and lawless set of beings, in the district I was in, which was Jessore, in Bengal. One gentleman, even in the Company's service, under cover of his authority, took the lands away at his pleasure from the ryots, who wished to cultivate rice, &c., and compelled them to cultivate indigo; if they refused, they were seized and severely flogged, and one man was thus flogged to death, in 1818, by his European lady. This gentleman was suspended by the Government; not, however, till after eight or ten years' continuance of this cruel system of torture. In short, in that district, it was so common an occurrence for an affray or fight between

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\* Our correspondent has communicated to us, confidentially, his name.—Ed.



an indigo planter and his men, hired for the purpose of fighting for him, and whole villages that had risen up in arms to expel the invaders, that it was scarcely thought of. Indeed, the life of an indigo planter is any thing but a peaceable one; for, between the natives and his European neighbours, he is continually at war, and always in alarm; the former will bear a great deal before they are roused to opposition, but retribution will come at last. I do not mean to say the Europeans attack the natives always without cause; the latter will take advances of the former, and then refuse to sow his lands; or perhaps lay them to another, his next neighbour, and so set them by the ears. In your last number is an account of an attack on a planter at Furredpore, which adjoins Jessore district. In 1820, two Europeans, indigo planters at Tirhoot, were ordered off to England, for bad behaviour; I do not wish to mention names, but I could tell you of a few more; and the judge and magistrate of zillah Jessore could tell you how far it will be politic to allow Englishmen indiscriminately to settle in India. I have known these same planters order some rupees to be thrown into the doors of the ryots' huts, take their lands by force for indigo, and swear they made them advances. If they were all men of education, and generous feelings, they might perhaps be trusted; but of what rank in life are the generality of the planters, think you? Not always the most respectable, I assure you. There is, no doubt, here and there, a gentleman among them; but the majority are adventurers of no family, or fortune, or name.

In short, Mr. Editor, an open trade to India will not do, any more than *universal suffrage and annual parliaments* in this country. I wonder, however, the Liverpool merchants are so anxious on the subject, as they have confessedly got a very bad name in that country; it is only necessary to specify an importation of any article of English manufacture as being of Liverpool, or coming from thence, to sink the same fifty per cent. in value in the eyes of a native, in consequence of an immense deal of *rubbish* having come from that port in 1815 and 1816, at the first opening of the trade, and with which the unsuspecting natives were *taken in*: since that period, they have a perfect horror of Liverpool goods, of any description; unless, indeed, the Liverpool people have wiped out the stain on their fair fame within the last four years, which I sincerely hope they have done.

To conclude; I am no enemy to a free trade altogether; but it must be under wholesome restrictions, just as restrictions are placed upon our freedom, in order that it may not degenerate into anarchy and confusion.

I am, sir, &c.

20th April, 1829.

QUI HY.

## POLITICAL CONDITION OF CEYLON.

A STATEMENT of "the actual political condition of Ceylon" has made its appearance at Calcutta and Madras, from the pen of a Mr. Peter Gordon, who is described as a renter, or an agent to a renter, of a farm or farms from the government. Being of a *liberal* (as it is commonly termed) or *reforming* temper, he seems to have become embroiled with certain functionaries of the Madras government, and he complains bitterly of the oppressive treatment which he has suffered. The particulars of this case are not before us; we cannot, therefore, judge of the merits of it; we merely notice the fact, because it would seem that the statement to which we allude, and which we propose to insert, was drawn up under the influence of the feelings to which a supposed persecution may be expected to give rise. One of the papers, most partial to the party to which Mr. Gordon belongs, says:—

"We believe it is beyond dispute, that by his disagreements with the local authorities, his employers have lost nearly all the capital they embarked in the concern he went to superintend; and even making a large allowance for the exaggeration incident to irritated feelings, it is clear that he has been most harshly used, and that he has had no redress, nor could he obtain any but by a civil action, the decision of which is not left to a jury, who certainly are the most likely duly to appreciate the injury in such case sustained, and to sympathize with the injured."

Of the accuracy of the assertions contained in the statement we have no means of judging; the remarks even of the radical papers of Calcutta regarding these assertions, make us scrupulous in placing implicit confidence in them. The writer is said to be a vigilant and acute observer, indefatigable in his collection of facts, deeply imbued with a *love of freedom and the natural rights of man*; and it is added: "He may be said to have mingled with the natives themselves, for in many instances he lived on the same simple food, and participated in the *oppressions* and *deprivations*, to which they are subjected."

We give the statement as we find it (retrenching a few unimportant and redundant remarks); merely calling the reader's attention to a fact, of which some readers may possibly be ignorant, that Ceylon is not a part of the Company's territory, but belongs immediately and exclusively to the Crown; and that the government to which it is subject is that, therefore, to which the rest of our Indian possessions will be transferred, when taken from the Company's control.

"The leading objects of government are divisible into *military, judicial, and financial*; to these are often annexed civic and parental concerns.

"The military establishment with which Ceylon is charged is permanent, expensive, and composed of foreign mercenaries, who have no common interest with her natives or colonists; their task is to destroy her political existence. She is, therefore, a conquered slave, and all her institutions are dependent on the will of the conqueror.

"Judicial affairs, especially as Ceylon is situated, divide themselves into causes with the ruler, and into causes where both parties are subjects. For the judicial and the revenue departments there is instituted the civil service: the members are appointed by H.M.'s minister for the colonies, and they rise in the service by seniority. The island has two grand judicial divisions: the maritime provinces, which are open to the Supreme Court; and the Candian provinces, conquered in 1812, but yet inaccessible to the Supreme Court.

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But even the enactments, which the Supreme Court is bound to observe, are but the mandates of the conqueror's executive officer; he alone legislates. The Supreme Court is composed of two King's judges; it alone has capital jurisdiction in the maritime provinces. To it, his Majesty's justices of the peace are amenable, and to it alone. It alone can try civil cases of European colonists above £7. 10s. The provincial courts are composed each of one judge, not bred to the law, nor constantly employed in the judicial department, ignorant also of the languages of Ceylon, often young men not long on the island. They decide native causes to any amount; this judge is also often the sitting police magistrate of the town or district, sometimes the only justice of the peace in it. In the maritime provinces may be eight provincial courts, and besides them a dozen sitting magistrate's courts; his Majesty's justices of the peace may be in all fifty. The Candian provinces are subject to the proclamations of the governor. Three commissioners, viz. military, judicial, and revenue, compose the highest court of justice: it convicts capitally. Here are no provincial courts, and in lieu of H.M.'s justices of the peace, are the agents of the government, who imprison, flog, and fine.

"The Supreme Court tries criminal offences by jury, but, following the Roman mode, property has not that inestimable privilege. None of the colonial courts try by jury.

"The object of a judicial establishment is, to afford due security to all the several members of a society. Its perfection is, to leave every member as free as can be. In Ceylon, life and limb are tolerably protected: persons do not appear to be often arrested contrary to law; but then it must be remembered that a whim becomes a law instantly. The laws are severe; and it is law for the governor to arrest, refuse *habeas corpus*, and to transport, without shewing cause or granting trial. Services are legalized but not defined; impressment is legal to an unlimited extent; property is not secure against the Crown in any part of Ceylon; to enlarge the domain of Mount Lavinia, land was recently taken unjustly; sales of land are set aside; grants are invalidated on pleas of irregularity of stamps, and from the grantor exceeding his powers. The lawyers say not an acre has a legal owner, if looked into. Recently the government has asserted its property in all cinnamon trees so earnestly, that it may be supposed they doubt their own claim. The right to cut timber for public purposes, from private grounds, is also recently avowed unequivocally; our eye being on the practice of the government in the interior while we read its regulation for the coast. The inheritance of land in the Candian provinces seems also to vest in the Crown. Service lands, on plea of being fiefs, and heritable only by male heirs, cannot be alienated or encumbered: the property is directly in the Crown. The Crown is all, and in all.

"There are courts of revenue, a high appeal, and courts of minor appeals. In the high court of appeals the governor presides; the two King's judges and two of the civil service are the members. Minor revenue appeals are to two, or more, commissioners of the civil service or others. Minor appeals, except revenue, are before two or more commissioners of the principal civil servants or others at the station. In revenue cases the magistrate can only entertain cases instituted by the officers of the Crown in behalf of his Majesty's revenue: they are forbid cognizance of any act done in the collection of such revenue, according to the usage and practice of the country, or the regulations of his Excellency the Governor.

"Before considering the revenue system of Ceylon, it may be remarked that her civil service can be regarded only as a civil department of the army of occupation;

occupation; her revenue system, collection of the jâghire; and, I regret to say it, her legislature and the whole of the colonial judicial department, is but the finer net-work, the save-all of the revenue system; every collector and assistant collector is a justice of the peace; collectors are also fiscals; they may, I fear, be considered as revenue courts also, although other revenue courts exist in provincial and sitting magistrates; but the term revenue court seems veiled.

"Finance divides itself into receipt and expense. The receipts arise from the property of the Crown, taxes in cash, taxes in kind, services due from the tenants and from the cultivators of lands, services of particular casts, general services, cash exemptions from services, supplies to public officers, monopolies, trading establishments, and from fines and forfeitures.

"1. The property of the Crown consists of lands, pearl banks, chank beds, buildings, vessels, and persons.

"The *lands* are: paddy fields, forests, plantations of coffee, pepper, and perhaps some cardamum, the cinnamon gardens, botanical and other inferior gardens. Many paddy fields are cultivated on account of government, some on shares, others by servants on wages; some of these lands are held only until a purchaser offers for them; others have been year after year cultivated on government account. The forests of government compose, I imagine, the major part of the island; grants in parts of them are offered gratis; in some parts the timber is of value and reserved for public purposes. The plantations of pepper and coffee are insignificant, and must be losing concerns. The cinnamon gardens afford the *maha-budde*, or great tax; but it is to be considered if, as private property, they would not become more valuable to the island. The botanical and other gardens of course become charges.

"The *pearl banks* are estimated to yield the government £20,000 per annum, but for the last twenty years have proved rather a charge. I have no hesitation in saying this is a branch of industry which ought to be thrown quite open, the natural difficulties of collecting pearls ought not to be increased. The *chank beds* are at present unproductive; except at Jaffnapatam the diving is discontinued, yet the government does not think of abandoning the monopoly, which would render these fisheries, what they never have been, a source of wealth to a numerous class of persons. It may be remarked, that the legal extent of the marine monopolies of the Ceylon government is not equal to the whole extent of the pearl-banks or chank-grounds, parts of which are the high seas, open to foreigners except they cede their right by treaties, and open to British subjects, not having been closed to them by the legislature: in leases of the fisheries, the Ceylon government defines the bounds with precision, and with moderation, not leaving out more than its dependencies; however, the state of society gives the fisheries a larger limit; here prerogative is not met where doubtful, and disputed to the inch; its extremest bounds, its acknowledged encroachments, receive a wide birth.

"The *buildings*, which are the property of the Crown, are forts and fortifications, churches, Christian as well as heathen, public offices, wharfs, post-houses, bridges, school-houses, prisons, palaces, dwellings for public officers, barracks, hospitals, store-houses, roads and canals are here also the property of the Crown. The public possess nothing. The *vessels* are, a guard-vessel for the pearl-banks, a few row-boats of the ports, and ferry-boats.

"I may be incorrect in enumerating *slaves* as belonging to the Crown, but the little I have heard concerning the *maha-budde* cast causes me to regard them but as *slaves*; certainly they are very far below Russian crown slaves,

though far above West-India slavery, the ties of nature not being torn asunder by sale.

" In this enumeration of articles belonging to the Crown, are many unproductive, yet it seems proper to consider them under the head of revenue, for it is to be supposed that the rent or accommodation they yield is equal to their cost and charges; those heads which are casually charges are branches of revenue which have failed.

" 2. Of the taxes paid in cash, are the sea customs of transit coastways, of export and of import, anchorage, pilotage, boat, cooly, bandy, travelling, house-tax, cart-tax, poll-tax, tolls, stamps, auction-duty, tax on toddy trees, fish-tax, tax on stills.

" The *coastways* duties are exceedingly vexatious and hurtful to the industry of the island; they are for the most part at the same rate as the export duties, charged even on every several transit of household furniture; charged also on raw produce, removing only to be manufactured and subjected to duty in a new shape, without drawback of the unmanufactured duty. The *import* duties on grain and on cotton cloths, other than British, are very heavy, and are most severely felt by the island; the circumstances of the island are such as require these articles from the adjacent continent. The *export* duties are considerable on the staple exports; nuts, coprah, loose coir, arrack, wood, coconut-oil, areca-nut; but the tariff exhibits, as duty free, coffee, cotton, cables, seed-oils, pepper, pearls, diamonds, salt-fish, wax candles, and very many other articles, some not at all exported, others to a trifling extent. The duties are levied rigorously on people who can scarcely have redress of error.

" In this department falls also *anchorage* and *pilotage*, both of which are high, yet yield no revenue. The Governor in Council fixes also *boat*, *cooly*, and *bandy* hire, &c. for ships; the least that can be said is, it would be better to leave these things to regulate themselves; also for *travelling*, forty pounds weight is fixed for a cooly load, and the pay about three farthings a mile. In cash, the towns of Colombo and Galle have their *houses* and *carts* taxed for the repair of their several streets. The *poll* tax of eighteen-pence per man, in commutation of conveying posts, wearing ornaments, and drawing toddy *tolls*, *stamps*, *licences*, *auction* duty, tax on *toddy trees*, *still* tax, and, in reality, the *fish* tax, are payable in cash.

" 3. The tax in kind is the cultivation-tax on grain and tobacco. Paddy is payable in kind; perhaps also dry grains and tobacco are current in the exchequer of Ceylon; this tax on cultivation varies greatly in its rate, according to the soil, watering, province, services due from the land, &c. In 1800 undivided tenures paid one-fifth produce; lands the property of one person were to pay but one-tenth of their produce; lands were offered five years, rent-free; then one-fourth produce of low lands, and one-tenth of uplands. In 1801, one-fourth, one-fifth, and one-tenth are named as the taxes and services abolished. In 1803, low lands one-fifth, all other lands one-tenth; the rents fixed for one life. In the Jaffnapatam district, where the soil is rich, and where the landholder is allowed to enslave the cultivator, the cultivation tax is highest. I have heard fifty per cent. mentioned; but twenty-five per cent. is the common rate. In 1806 the most valuable property in that district is declared to consist partly in land and partly in a right of servitude possessed by persons of the higher casts over those of inferior casts; the ancient marks of respect are also ordered.

(To be concluded in our next.)

## Review of Books.

*The Travels of Ibn Batuta, translated from the abridged Arabic Manuscript Copies preserved in the public Library of Cambridge; with Notes illustrative of the History, Geography, Botany, Antiquities, &c. occurring throughout the Work.* By the Rev. SAMUEL LEE, B.D., Professor of Arabic in the University of Cambridge, &c. &c. London, printed for the Oriental Translation Committee, 1829. 4to. pp. 244.

THIS is the first work published under the auspices of the Oriental Translation Committee; we are, therefore, anxious to seize the earliest opportunity of introducing it to the notice of our readers, although we have not had sufficient time to enable us to bestow that attention upon it, which is requisite in order to examine the performance critically.

The learned translator has not thought it necessary to print the Arabic text, "as it presents nothing remarkable." Perhaps the exception, in this instance, to the general rule of the Committee, will be regretted by oriental scholars; because, although the high reputation of the professor is a guarantee for the fidelity of his translation, there are many passages (besides those to which Mr. Lee has appended the original text), where it is desirable to have the very words of the author; and the text of Ibn Batuta, published by Professor Kosegarten of Jena, differs materially (according to Mr. Lee) from that of the Cambridge MSS. The absence of the original text, moreover, prevents a reviewer of the work from doing ample justice to its merits.

"Ibn Batuta," says Mr. Burckhardt, no incompetent authority, "is perhaps the greatest land traveller who ever wrote his travels. When I first rapidly ran over his work, I took him for no better than Damberger, the pseudo-African traveller; but a more careful perusal has convinced me that he had really been in the places, and seen what he describes."\* Mr. Burckhardt then gives an outline of the extraordinary peregrinations of this individual, during twenty years, in almost every part of Asia and Africa, in the fourteenth century. This outline is enough of itself, perhaps, to excite incredulity, certainly to provoke curiosity. The narration of a traveller, enjoying such facilities as this learned Mogrebine Musulman possessed, who traversed the countries of Persia, Hindustan, and China, at such an interesting period of their respective histories, must be, as Mr. Burckhardt says, invaluable.

Unfortunately, however, the translation before us is made, not from the real narrative of the traveller, but from an abridgment † of his great work, or rather from an epitome of an epitome. It begins: "The poor and needy of forgiveness of his bountiful lord, Mohammed Ibn Fat'h Allah el Bailūnī, states, that the following is what he extracted from the epitome of Kātib Moḥammed Ibn Jazīr el Kelbi from the travels of the theologian Abu Abd Allah Mohammed Ibn Abd Allah el Lawātī, of Tanjiers, known by the surname of Ibn Batūta; and that he did not extract any thing except what was strange and unknown, or known by report, but not believed on account of its rarity." Accordingly, the epitomator passes with wonderful alacrity over all such details of mere facts, as would alone possess interest in the eyes of a philosopher of Europe, and expatiates

\* Travels in Nubia, Appendix, p. 488.

† The translation is made from three Arabic MSS. all copies of the same abridgment, bequeathed to the library of the University of Cambridge by the late Mr. Burckhardt.

expatiates at length upon those miraculous and absurd tales, more congenial to the taste of his oriental readers, with which the author has (perhaps) vitiated his narrative.

That the great work of Ibn Batuta does exist there seems no reason to doubt, though it is extremely scarce. Mr. Burckhardt tell us that its size is a large quarto, and that there was a copy of it at Cairo; and Professor Lee informs us that he was promised the loan of the entire work, by a M. Dugais (M. D'Ghies of Major Denham), the son of a rich merchant in Tripoli, who stated that he had a copy in his library; which promise, however, he failed to perform. We have, indeed, heard of a copy in England.

After this hasty sketch of the history of the work now first translated into our language, we proceed to give a brief summary of its contents.

The Sheikh Ibn Batuta, we are told, set out from his native city, *Tanjiers*, for the purpose of performing the pilgrimage, A.H. 725 (A.D. 1324-5), and we are informed of the names of the places he visited till he reached *Alexandria*, in Egypt. Here the epitomator relates some miracles, but not a tittle of geographical or other details. He left *Alexandria* for *Cairo*, and thence travelled into *Ethiopia*; but was compelled to return to *Cairo*, from whence he set out for *Syria*, through *Palestine*. From *Damascus* he proceeded to *Tripoli*, *Aleppo*, and *Antioch*. After which he passed the fortresses which belonged to the *Ismailiah* sect, known by the name of *the Assassins*. "No person can go amongst them," says the writer, "except one of their own body. These people act as arrows for *El Mälîk el Näsîr* (the reigning prince of Egypt); and by their means he comes at such of his enemies as are far removed from him, as in *Iräk* and other places. They have their various offices; and when the sultan wishes to despatch one of them to waylay any enemy, he bargains with him for the price of his blood. If then the man succeeds, and comes safely back, he gets the reward; but if he fails, it is then given to his heirs. These men have poisoned knives, and with these they strike the persons they are sent to kill."

From *Syria* he proceeded with a caravan of pilgrims to the holy places in *Arabia*. The work contains, up to this stage, scarcely a fragment of valuable information. It tells us that "without *Damascus*, on the way of the pilgrimage, is the 'mosque of the fort' " (مسجد القدم), which is held in great estimation, and in which there is a stone having upon it the print of the foot of *Moses*:" a relic of *Buddhism*, according to Mr. Lee. Having duly performed the pilgrimage, he travelled through *Iräk*, with the *Badawîn* Arabs of *Khafaja* (خفاجه), "for there is no travelling in these parts except with them," to *Basra*, "a place much abounding with palms." Here he embarked on the *Persian Gulf*, and landed at *Magün* or *Magül* (ماجول), whence he journeyed by land three days, through a plain inhabited by *Kurds*, to the city of *Rämin* (رامن), "a beautiful place abounding with fruits and rivers; and thence, in three days, he reached the city of *Tostar* (تُستَر), and then he travelled for three days over high mountains, till he came to the country of *El Lür* (اللور), abounding with high mountains, the roads cut in the rocks. He then travelled ten days over these high mountains of *El Lür*, and came to *Shiraz*, "a large and handsome city," from whence he went to *Shiraz*, "an extensive and well-built city." In this vague manner does the epitomator pass

pass over some of the most interesting places the traveller visited, stopping merely to relate some frivolous anecdote or traditionary miracle.

From Shīrāz he went to Kāzerūn, thence across the desert to Kufa, thence to Hilla on the Euphrates (not a syllable is said of the ruins at this remarkable spot, or any thing else, besides a stupid legend of a mosque); from hence he proceeded to Bagdad, "notwithstanding the injuries it has sustained, still one of the largest of cities." From Bagdad he went to Tebriz, "a large and beautiful city;" he returned to Bagdad, and set out for Mosul and Diarbeker; he then proceeded a third time to Bagdad, from whence he accompanied the pilgrims on a second visit to Mecca, where he staid two or three years. In the narrative of all these journeyings to and fro, we are not afforded a glimpse of the country, the towns, the people, &c.

From Mecca the traveller went to Judda, where he took ship, intending to proceed to Yemen, but the vessel was forced into Sawakin (سواكن), or Souakān, as Mr. Burckhardt writes it. He thence set out for Yemen, and reached its chief city, Zabīd (زبيد), which is described as "large and handsome, and abounding with every commodity." This concise character is followed by a tiresome digression respecting one of its saints, whose name alone (El Wali El Salih Ahmed Ibn El Ojail El Yemeni) requires as much type as the description given of the city. From Zabīd he went to Jabala, a small town; thence to Tiazz, the residence of the king, "one of the most beautiful and extensive cities of Yemen;" Senaā, the capital, "a large and well-built city;" and Aden, "a large city, but without either seed, water, or tree." From Aden, he went by sea to Zaila (زيلة), a city of the Berbers of Soudān, situated in a desert; the people lived on camels' flesh and fish. Thence he proceeded by sea, for fifteen days, to Makdashu, "an exceedingly large city," the people of which are corpulent and enormous eaters, "one of them eating as much as a congregation ought to do." Contrary to custom, we have here some meagre details of the productions of the country and the habits of the people. From Makdashu he went to the country of the Zanj, and thence to the island of Mambasa, or Mombas.

Having accompanied the traveller, step by step, thus far, and given a fair sample of so much of his epitomized narrative (being about a fourth part of it), we do not deem it necessary to follow him with so much minuteness in his further progress.

He returned to Yemen, visited Hormuz, where he saw the head of a fish which might be compared to a hill; "its eyes were like two doors, so that people could go in at one and out at the other." He then travelled into Kauristān (Kūzistān), and thence proceeded to Fars. In speaking of the pearl fisheries of Bahrein, he says the divers for the pearl oysters remain under water, some *an hour*, others *two hours*; the shells they bring up are opened, and "they find in each a piece of flesh, which being cut away with a knife, and exposed to the air, hardens and becomes a pearl." He then re-entered Arabia, and at Yemama, also called Hajr, "a beautiful and fertile city," he joined another caravan of pilgrims, and performed the pilgrimage to Mecca once more, where he arrived A.D. 1332.

After this work of supererogation, he returned to Cairo, through Upper Egypt; thence he proceeded through Syria, by Acca, Tripoli, and Laodicea, to the country of Room, where a considerable number of "Romans" still dwelt under the protection of the Mahommedans. Turkomans also inhabit these



these districts and that of Anatolia. In all the Turkoman towns, he says, there is a brotherhood of youths, الأخيه الفتیان, of which the following account is given :

No people are more courteous to strangers, more readily supply them with food and other necessities, or are more opposed to oppressors, than they are. The person who is styled *الأخي* the Brother, is one, about whom persons of the same occupation, or even foreign youths, who happen to be destitute, collect and constitute their president. He then builds a cell, and in this he puts a horse, a saddle, and whatever other implements may be wanting. He then attends daily upon his companions, and assists them with whatever they may happen to want. In the evening they come to him and ~~bring~~ they have got, which is sold to purchase food, fruit, &c. for the use of the cell. Should a stranger happen to arrive in their country, they get him among them, and with this provision they entertain him ; nor does he leave them till he finally leaves their country. If, however, no traveller arrive, then they assemble to eat up their provisions, which they do with drinking, singing, and dancing. On the morrow they return to their occupations, and in the evening return again to their president. They are, therefore, styled "*the Youths*," their president "*the Brother*."

There is a striking coincidence between this account and an incident in some oriental tale, which we cannot at this moment call to mind.

The traveller then reaches Tartary ; the names of some of the places he passed, and nothing else, are mentioned in the epitome. Here he visited the Sultan, Mohamed Usbek Khan, at his ūrdū or camp, at the Bish Tag, or Five Mountains, which is described in a picturesque manner. "Here," the traveller observes, "we witnessed a moving city, with its streets, mosques, and cooking-houses, the smoke of which ascended as they moved along : when, however, they halted, all these became stationary." He accompanied the sultan to Astrachan, where the prince always resided during the very cold weather. The traveller states that amongst the wives of the sultan was Bailun,

a daughter of Takfūr (تکفور), the emperor of Constantinople ; she was then pregnant, and on arriving at Astrachan, she requested permission to visit her father, which the sultan granted, and Ibn Batūta was allowed to accompany her to Constantinople. On their way they had a sight of the mountains of the Russians, "who are Christians, with red hair and blue eyes ; an ugly and perfidious people." The *cortège*, which consisted of 5,500 troops, was met, at a distance of twenty-two days' journey from Constantinople, by the sultan's father, the emperor, at the head of a large army. The meeting is described with an unusual degree of detail. When she met her parents, the lady alighted, kissed the ground before them, as well as the hoofs of their horses. As the cavalcade approached the city, the greatest part of the inhabitants came out, attired in their best clothes, walking or riding, beating drums and shouting as they proceeded ; the bells ringing so that "the very horizon shook with the noise." The traveller was introduced to Sultan Takfūr, who is stated to be the son of George, the late king of Constantinople, who was still living, but had retired from the world and become a monk. He was well received by the reigning emperor, who interrogated him about his travels, and respecting Jerusalem and the holy places there. He rode about the city, accompanied by an officer, to see the wonders of the place, not one of which he describes, except Saint Sophia, which he writes *أيا صوفيا*, evidently the *ayia sofia* of the Greeks. All he tells us of this edifice is that it is the largest church in the city, and

and that he could not see the interior because, just within the door, there was a cross, which every one who entered worshipped.

Mr. Lee observes, in a note, that the retired emperor must have been Andronicus the elder, the reigning emperor Andronicus the younger, who was his grandson. Mr. Kosegarten's MS. has, in this place, Nakfür, instead of Tāk-für, which may mean Nicephorus. None of the Byzantine historians, it appears, mention this marriage; as Mr. Lee supposes, because they were ashamed of it. There is another difficulty. The Emperor Andronicus the elder died, according to Gibbon, in 1332, in which year, as we have already seen, Ibn Batuta was on his pilgrimage to Mecca. In 1346, John Cantacuzene married his daughter, Theodora or Maria, to a Mohammedan prince of Tartary.

The princess, having renounced the religion of her husband, and returned to that of her father, and refused to go back to the former, Ibn Batuta and the suite left Constantinople, after staying there a month and six days.

Taking leave of Sultan Mohammed Usbek Khan, he travelled to Khavāresm (or Kharezsm), the largest city of the Turks, and crowded with inhabitants. He mentions a curious custom in this country, which tallies with the modern practice of the Usbeks of Bokhara, according to Baron Meyendorff. "I have never seen," says Ibn Batuta, "better bred or more liberal people than the inhabitants of Khavāresm, or those who are more friendly to strangers. They have a very commendable practice with regard to their worship, which is this: When any one absents himself from his place in the mosque, he is beaten by the priests in the presence of the congregation; and, moreover, fined in five dinars, which go towards repairing the mosque. In every mosque, therefore, a whip is hung up for this purpose." The Russian traveller tells us, that the whip is employed to drive those persons who are absent from worship, at the time of prayer, into the mosques, at Bokhara. This city was visited by Ibn Batūta, who merely says that it is the principal city of the country, and that it had been ravaged and almost destroyed by the Tartars under Jengiz Khan, of whom he gives some account, which, brief as it is, differs materially from the reports of other oriental writers. Ibn Batūta found that all the men of science had disappeared from Bokhara; and the author of the abridgment, Mohammed El Bailūnī, states, in addition, that 20,000 learned men had perished in the war with the Tartars, in Irāk alone; and that only two escaped. He relates this fact on the unexceptionable authority of Ibn Jazzī El Kelbī, who had been told so by the Sheikh Ibn El Hāji, who had heard it from Abd Allah Ibn Ros-haid, who had been so informed by Nūr Oddīn Ibn El Tajāj, one of the survivors.

Leaving Bokhara, he visited the camp of Alā Oddīn Tamashīrīn (the Tirīm Siri Khan of Ferishta, the Turmeschirin of De Guignes), the king of Māwārānnahr, or Transoxiana; "he succeeded to the kingdom after his brother Jagatai, who was an infidel, and had succeeded his elder brother Kobak, who was also an infidel." The present sultan was a Musulman. These statements, as well as the fact of the subsequent deposition of this prince, agree with other accounts. The traveller then proceeded to Samarkand, "a very large and beautiful city;" and to Balk, which "lay in ruins," so left by the Tartars. From thence he went to Herat, Tus, Meshed, and Nisabur, in Khorāsān. He then crossed the Hindu Kush (or "Hindu-slayer," says our traveller, "because most of the slaves brought thither from India die on account of the intenseness of the cold"), and passed through Ghizna to Kabul, "once a large city but now mostly in ruins." He quitted the Afghan country (the king of which, he says, resided upon a large mountain, called the Mountain of Solomon)

Solomon), by the way of Kermash (Cashmere), "a narrow pass between two mountains, in which the Afghans commit their robberies." He reached the Panj-Ab, in safety, A.D. 1332, the very year in which, we had been previously told, he was at Mecca, since which time he had spent six months in crossing the desert of Kifjak, two months on his journey to Constantinople, a month and six days at that city, two months in returning to Astrachan, forty days in his journey from El Sarai to Kharesm, and eighteen days from thence to Bokhara; which items alone make upwards of thirteen months.

Mohammed Shah was the reigning emperor of India at this time: our traveller hastened to Dehli to pay his respects to him. He proceeded *viâ* Lahari, Bakar, Uja (of which places we know nothing, and the epitomator takes care to tell us nothing), and Multan. Not far from Dehli he witnessed the ceremony of a suttee, which he describes with tolerable accuracy: he also refers to the practice of drowning in the Ganges.

The epitomator has retained a few observations on Dehli, but they are of the most vague kind, affording no distinct idea of the place. Some meagre historical details of the princes who ruled there, from the date of its capture by Kotb Oddin, A.H. 588, to the period when our traveller visited the country (which are too complaisantly termed, by the learned translator, "An Abstract of the History of Hindustan"), are then given in the work: they vary, in some instances, from the statements of credible historians.

The emperor was absent from Dehli when Ibn Batuta arrived there: on his return, the traveller was very graciously received, and was moreover appointed a judge, with a salary of 12,000 dinars, and land producing the same annually, besides a present of 12,000 dinars. Of the character of this prince we have the following account:

This emperor was one of the most bountiful and splendidly munificent men (where he took), but in other cases, one of the most impetuous and inexorable: and very seldom indeed did it happen, that pardon followed his anger. On one occasion he took offence at the inhabitants of Dehli, on account of the numbers of its inhabitants who had revolted, and the liberal support which these had received from the rest; and, to such a pitch did the quarrel rise, that the inhabitants wrote a letter consisting of several pages, in which they very much abused him: they then sealed it up, and directed to the Real Head and Lord of the world, adding, "Let no other person read it." They then threw it over the gate of the palace. Those who saw it, could do no other than send it to him; and he read it accordingly. The consequence was, he ordered all the inhabitants to quit the place; and, upon some delay being evinced, he made a proclamation, stating, that what person soever, being an inhabitant of that city, should be found in any of its houses or streets, should receive condign punishment. Upon this they all went out. But, his servants finding a blind man in one of the houses, and a bed-ridden one in another, the emperor commanded the bed-ridden man to be projected from a balista, and the blind one to be dragged by his feet to Dawlatābād, which is at the distance of ten days, and he was so dragged; but, his limbs dropping off by the way, only one of his legs was brought to the place intended, and was then thrown into it: for the order had been, that they should go to this place. When I entered Dehli it was almost a desert. Its buildings were very few; in other respects it was quite empty, its houses having been forsaken by its inhabitants. The king, however, had given orders, that any one who wished to leave his own city, may come and reside there. The consequence was, the greatest city in the world had the fewest inhabitants.

Upon a certain occasion, too, the principal of the preachers, who was then keeper of the jewellery, happened to be outwitted by some of the infidel Hindoos, who came by night and stole some jewels. For this he beat the man to death with his own hand.

This capricious tyrant seems to have been unusually indulgent towards our traveller

traveller, who, *nolens episcopari*, said "I am of the sect of Ibn Mälek, but the people of Delhi follow Hanīfa (not Hanafi, as Mr. Lee writes it); besides I am ignorant of their language." The emperor replied, "I have appointed two learned men your deputies, who will advise you: it will be your business to sign legal instruments (علي العقود)." In a short time, the new judge found himself in debt to the amount of 55,000 dinars; upon which he wrote a panegyric on the emperor, to whom he read it. His majesty was so pleased with it (Ferishta tells us he was a patron of polite learning), that he translated it himself, and Ibn Batuta took advantage of the favourable moment to hint at his own embarrassments, when the emperor ordered his debts to be paid out of his own treasury. Soon after this the new judge fell under the emperor's displeasure, and he attributes his escape from death to his repeating this sentence from the *Koran*, "God is our support and the most excellent patron," 33,000 times. He, however, was obliged to relinquish his post.

Not long after, the emperor employed him as his ambassador to the emperor of China, who had sent splendid presents, accompanying a request that he should be permitted to rebuild an idol temple in the country about the mountain of Kora (قُورَا), on which infidel Hindoos resided, under infidel kings.

The extremities of these parts extend to the confines of Thibet, where the musk gazelles are found. There are also mines of gold on these mountains, and poisonous grass growing, such, that when the rains fall upon it, and run in torrents to the neighbouring rivers, no one dares in consequence drink of the water during the time of their rising: and should any one do so, he dies immediately. This idol-temple they usually called the Bur Khāna. It stood at the foot of the mountain, and was destroyed by the Mussulmāns, when they became masters of these parts. Nor were the inhabitants of the mountain in a condition to fight the Mohammedans upon the plain. But the plain was necessary to them for the purposes of agriculture; they had, therefore, requested the Emperor of China to send presents to the King of India, and to ask this favour for them. Besides, to this temple the people of China also made pilgrimages. It was situated in a place called Samhal. The reply of the emperor was, that this could not be permitted among a people who were Mohammedans; nor could there exist any such church whatsoever, in countries subject to them, except only where tribute was paid; but if they chose to do this, their request would be complied with: for the place in which this idol-temple was situated had been conquered, and had, in consequence, become a district of the Mohammedans.

He set out on his embassy in the year 1342 (here is a space of ten years insensibly elapsed, since his arrival in India), accompanied by 1,000 cavalry, and the Chinese ambassador and his suite, to proceed by sea. The places he passed in his long journey are mostly merely named: Biana, Kūl, Yūh Būrah, Kīnoj, Merwa, Kalyur (Gwalior), Barun, Kajwarā, Genderi, Tahar, Ajbāl, Dawlatabad (its citadel, El Dawigir, or Deogir, he describes as built on a rock elevated like a mile stone), Nazar Abad (inhabited by Mahrattas), Sāgar, Kam-bāya (written Kanbāba and Kanbāya), "situated at the mouth of the sea;" Goa, subject to the infidel king of Candahar; thence they came to the island of Bairam (which was uninhabited), the city of Kūka, the island of Sindabur, the city of Hinaur, to the king of which city, Jamal Oddin Mohammed Ibn Hasan, the inhabitants of Malabar (the country of black pepper) generally paid tribute; he was a Moslem, though subject to an infidel king, named Horaib. In the country of Malabar, he says, are twelve kings, the greatest of whom could command 50,000 troops. Some of the customs of the country are accurately noticed, especially the remarkable peculiarity in the law, of the sis-

ter's son succeeding to property, in preference to the direct heir : a custom which still prevails amongst the Nairs and other castes of Malabar.

The port at which they were to take shipping was Calicut, the king of which, says our traveller, "is an infidel, who shaves his chin just as the Haidaree Fakeers of Room do." When the season arrived for setting sail, the

junks (it is observable that the author uses the term جنك ) were dispersed by a storm ; some were dashed on shore and all on board perished. All the embassy (except our traveller), the presents, &c. were embarked : so that the mission was totally at an end. Ibn Batūta was afraid to return to the emperor ; he therefore, soon after, paid a visit to the Maldivé islands, the narrative of which is perhaps the most curious passage in the work. Here he resided for some time, married three wives, and became a judge, till his influence excited the jealousy of the queen's vizier, which induced him to quit the island (of Mohl), and he set sail for the continent, but adverse winds drove him to Ceylon (written سيلان), where he was introduced to the king of Battāla, Ayari ShakartI by name, who treated him kindly, and complied with his request to be permitted to visit "the foot-mark of Adam," on mount Serendīb. It is evident that the traveller visited this island, from several particulars of its productions, &c. which he accurately describes. The capital of Ceylon he calls Kankar (كنكار) ; here resided the emperor, whose name, he says, was Kinar, which bears no analogy whatever to that of the reigning emperor, as reported by Knox.

On his return to Coromandel, he travelled again into the interior ; but, returning to Malabar and embarking at Kawlam, he was plundered by some infidel Hindoos, and revisited the Maldives. After this he sailed for Bengal, which he describes as "an extensive and plentiful country ;" its king was Fakhr Oddīn. From the port at which he landed (Sadkawan or Sutirkawan), he travelled to the mountains of Kamru (Kamrup), which adjoin those of Thibet, where are the "musk gazelles ;" the inhabitants, he says, were famous for magic. He returned to the Bengal port again, and here he embarked on board a junk for Java (جاوا), which Mr. Lee concludes to be Sumatra. In fifty days, they reached the countries of the Barahnakār, a people who have no religion ; the men have mouths like dogs ; the women have mouths "like other folks." Mr. Lee supposes that the traveller means the Nicobar islanders, which "the description seems sufficiently near to suit ;" but the islanders have no "elephants," nor does the description, in our opinion, at all suit them, though it does suit the Andamaners, their neighbours. If the course of the traveller admitted it, we should have supposed he had touched at Borneo, which is called Varani or Barani by the natives : the Dayaks of this island are in a very rude state, and are described by modern travellers to be absolutely without religion, and ignorant of the use of images or temples. In fifteen days from Barahnakār they reach Java, "a green and blooming island," in which was situated the city of Sumatra, or Shumatrah, where the king of the island resided, whose name was El Zāher Jamal Oddīn ; he was of the sect of Shafia, and a most religious prince ; at the traveller's request he fitted him out for a voyage to China, after he had travelled for twenty-one days through his dominions. Ibn Batūta appears to have visited Java, which he calls Mal Java, the king of which was so beloved by his subjects, that it was not uncommon for one of the latter to cut off his own head in the presence of the king, out of affection for him ; an instance of which the traveller saw.

Ibn Batūta then reached China. He mentions, with tolerable correctness, a few particulars of the country and people. He speaks of their eating dogs and swine; of their earthenware, sugar, silk and silk manufactures. He praises their skill in painting: "I once scarcely entered one of their cities," he says; "some time after, I had occasion again to visit it, and what should I see upon its walls, and upon papers stuck up in the streets, but pictures of myself and my companions! This is constantly done with all who pass through their towns; and should any such stranger do any thing to make flight necessary, they would then send out his picture to the other provinces, and wherever he might happen to be, he would be retaken." The care taken by the police of travellers is such, he says, that a person might fearlessly travel alone in that country for months together, with much wealth.

Having obtained permission of the *khan* of China to visit the capital, he proceeded thither at the expense of the government. The epitomator mentions the names of some cities on the traveller's route, and speaks of their prodigious size; but, as on former occasions, gives scarcely any specific description of country or people. He speaks of the city of Bairam Katlu as the largest on the earth; its length was a journey of three days; it consisted of six cities, one within another, each surrounded with a wall. Here the traveller heard of a revolt of the nobles against the emperor's authority, and of a great battle, in which the khan was killed, who was buried in the Tartar style. His successor, Firūn, changed the imperial residence to Kora Karūm (قراقورم, Cara Corum); upon which certain other nobles revolted, and "the disaffection spread itself like a flame." In this state of things, the traveller thought it prudent to return to the city he set out from, Zaitūn. No trace of these transactions is to be found in De Guignes or other historians.

On arriving at Zaitūn, he embarked in a junk bound to Sumatra, where he staid two months, and thence sailed to Kalikut, or Malabar, where he appears to have arrived A.D. 1347. From thence he proceeded to Persia and Arabia, and lastly to Syria, which he revisited after twenty years' absence. He passed through Egypt to Fez, from whence he proceeded to Tanjiers, his native place. He afterwards crossed over to Spain.

On re-crossing to his native continent, he took a journey to Sūdān, A.D. 1352, and visited the city of Tambactu, "the greater part of the inhabitants of which are merchants of Lathām, which is a district of Mālī:" and this is all we are told of this celebrated city. Professor Kosegarten's copy adds, that it is four miles distant from the Nile (النيل); and that the traveller, on leaving the city, was conveyed in a boat or canoe made of the trunk of a single tree, to other towns on the river. Of the course of this river we have the following account:

We then left this place and came to the great river, which is the Nile. Upon it is the town of Kārsanjū, from which the Nile descends to Kābāra, then to Zāga, the inhabitants of which were the first (in these parts) to embrace Islamism. They are religious, and fond of learning. From this place the Nile descends to Tambactu, then to Kawkaw, of both which we shall give some account. It then proceeds to the town of Müll, which is the extreme district of Mālī. It then goes on to Yuwī, the greatest district of Sūdān, and the king of which is the most potent. No white person can enter here; for, if he attempt to do so, they will kill him before he reaches it. The Nile then descends from this place to the countries of Nubia, the inhabitants of which are Christians; then to Dongola, which is the largest district they possess; the king of which is named Ibn Kans Oddin, who became a Mohammedan in the times of El Malik

El Nāsir. The Nile then descends to the cataracts, which terminate the regions of Sūdān, dividing them from Upper Egypt.

He returned to Fez, and ended his travels, in the year 1353.

Such is an outline of the book before us: it contains scarcely any thing, we fear, which can be valuable to the historian or the geographer. There are some particulars given of the fruits and productions of the countries visited, which are mostly adulterated with marvellous stories, some asserted on the personal experience of the traveller, and long digressions respecting magic, and living saints three or four centuries old. On leaving China, the traveller's vessel was in great danger from that monstrous bird the *rokh* (which the readers of Sinbad's tale must be familiar with); Ibn Batuta *saw the bird at the distance of twenty miles*; it was then like a mountain in the air, and eclipsed the sun. All these absurdities are carefully retained.

We trust the learned translator will not imagine that we undervalue his labours; so far as we can judge, he appears to have executed his task with ability: it is only to be regretted that a copy of the genuine work of Ibn Batūta had not fallen in his way. M. Rousseau, the French consul at Aleppo, stated, in a letter to the Geographical Society of Paris, a few months back, that he had obtained a copy of Ibn Batuta; but we have not heard whether it be the entire work or an epitome; the latter is very common.

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*Geschichte des Osmanischen Reiches*; i. e. *History of the Ottoman Empire*. By JOSEPH VON HAMMER. Vols. i. to iii. Pest, 1827 and 1828.

The Ottoman empire was founded towards the close of the middle ages. For three centuries its history is intimately blended with that of most of the great states of Europe. It struck deep roots in three portions of the ancient world, and there was a period when its influence was felt from the borders of the Indian ocean to the columns of Hercules. The Turkish nation, exhausted by its long career of conquest, has for some time given itself up to repose, and appears to have lost that enterprising character which rendered it the terror of the princes of Europe, Asia, and Africa. Late events have taught us that it has only slumbered, and that it has lost none of its former energy, as had been supposed. The history of the Ottomans forms, therefore, a component part of the annals of the European world, and it is a matter of surprise that it has been hitherto almost wholly neglected. The cause of this neglect is easily explained by the little knowledge possessed in Europe of the languages in which the Turkish historians wrote, and more especially by the scarcity of a complete series of their works. The writer of a history of Turkey ought to be not merely an orientalist, and familiarly versed in the internal administration and geography of the country, but he should also understand most of the languages of Europe, and be able to procure access to the archives and libraries of those states which have kept up relations with the Ottoman court.

M. de Hammer was probably the only person in Christendom who combined all the qualifications requisite in order to undertake a work of this nature. Profoundly skilled in the Arabic, the Persian, and the Turkish languages, he passed a considerable number of years in the East, where he devoted himself to a close study of the laws which govern Musulman countries. Having been urged, more than thirty years ago, by the celebrated historiographer, Muller, to collect materials for a complete history of the Turkish empire, M. de Hammer got together, with much labour and at a vast expense, a valuable collection of native annalists; he visited, with the same object, most of the great libraries of Europe, and those manuscripts he found there which he could not purchase, he extracted. But the writings of oriental authors were not the only sources which furnished the materials required for the great undertaking which he meditated; he also selected a multitude of facts from the historians of Byzantium, and those of western

western Europe, as well as from the archives of Vienna and Venice. Provided with such authentic and precious materials, he has been for thirty years digesting the important work which is now before us, and which, notwithstanding its imperfections, will ever remain a monument of the zeal and vast erudition of its author.

M. de Hammer states, in his preface, that he undertook this work, guided by *truth* and *predilection*. This sentiment does not appear to have had any reference to the people whose history M. de Hammer professed to write; for he has committed a fault which is unpardonable in an historian, in exalting himself into the character of prophet, and predicting, somewhat precipitately, the total overthrow of the Ottoman empire. Such a presumption appears the more extraordinary on the part of M. de Hammer, inasmuch as it is contrary to all probability, contrary to the interests of European civilization, contrary to the interests of his own country, and even contrary to his individual interests, since he is principal interpreter of the Turkish language at the court of Vienna.

In order to analyze this history of the Ottomans with minute accuracy, not only should we require all the learning of its author, but we ought to have before us all the materials which he has collected, and consider the use which he has made of them. Not possessing these advantages, we shall confine ourselves to a cursory glance at this truly colossal undertaking of the celebrated German orientalist.

When we reflect upon the trifling number of printed materials, of any value, which are to be met with, for a history of the Turks, and upon the immense quantity of facts, hitherto unknown, derived from authentic sources, contained in the three volumes of M. de Hammer's work, already published, we cannot but feel a very lively sense of gratitude towards a writer who has procured for us these literary treasures. It is this mass of facts which imparts a real value to the work, and which compensates for most of its defects. Although a third part of this vast production were of inferior value, although it were even replete with errors and groundless opinions, although the style, vicious and tedious, should disgust the majority of readers by an attempt to copy that of the Asiatic originals; yet the remainder would comprehend an immense quantity of invaluable materials, and would compel our indulgence. In justice towards M. de Hammer, he should be pardoned for those instances of bad taste which were produced by a continued perusal of oriental poets, as well as for those blemishes which are unavoidable in a composition of such an extent; nay, even for defects which he might perhaps have avoided by writing with less haste. In short, we ought to confess that his work is certainly the best, the most complete, and the most useful which we are in possession of, on the history of the Ottomans.

The three first volumes comprehend the annals of the Turkish empire from its origin to the death of Sultan Selim III. (1574). The author never fails to cite his authorities, and at the commencement of each volume is a list of works which have furnished the materials. A vast number of notes, often very long, contain explanations of the text, and details which could not be included therein. Genealogical and chronological tables elucidate the general view of the successions of contemporary princes.

It is well known that the origin of the Osmanli Turks is still enveloped in obscurity; the reason of which is, that they did not begin to write their own history till very lately, when a series of illustrious actions had obliterated the early traditions of the nation. M. de Hammer appears not to have been more fortunate than his predecessors in tracing the descent of the Ottomans. For example: we know with sufficient certainty, that the name of *Turk* is not older than the fifth century of our era; it is with some surprise, therefore, that we perceive the learned author still attaching some value to the mistake of a copyist, whereby *Turcæ* occurs instead of *Iurcæ* in some MSS. of Pliny and Mela. These two authors merely copied Herodotus, who speaks of the *Iurcæ*, not of the *Turks*. These *Iurcæ* dwelt, along with the *Thyssagetæ*, between the Don and the Volga, in southern Russia, where they lived by hunting. The fabulous traditions of the orientals made the Turks descend from *Turk*, a son of Japhet; but we are unable to comprehend the reason why M. de Hammer identifies *Turk* with *Targitaos*, a son of Jupiter and a daughter of the river Borysthenes, who, according to another tradition, rejected by Herodotus himself, was the first ancestor of the Scythians. Still less can



we conceive any identity between *Turk*, the son of Japhet, according to the orientals, and *Togarmah*, son of Gomer, son of the Japhet of *Genesis*, more especially as the Armenians pretend that they descend from this *Togarmah*, and the Turks and the Armenians are two nations totally distinct from each other. Such paradoxes are calculated to depreciate an historical work, and we regret that M. de Hammer should have attached the smallest value to them. The resemblance between the names of *Turk* and *Turan*, which the Persians appropriate to the countries situated beyond the Oxus, is not less delusive, for this latter denomination appears much more ancient than the former. "*Turan* and *Turanians*, that is to say *Turks*," says M. de Hammer, "were generic names, like that of *Scythian*; they denoted ferocity and barbarism, in opposition to civilization: the name of the *Turanians* became in the mouth of the Greek that of a *tyrant*." We confess this is pushing etymology a little too far. Before such an hypothesis was hazarded, it ought to be demonstrated, that the words *Turan* and *Turanians* existed in the time of the poet Archilochus, who lived about 100 years\* before our era: it was about this period that the term *tyrant* was used by the Greeks to distinguish the individual who, in a free state, obtained possession of the sovereign power; with which the *Turanians* could not be reproached.

M. de Hammer passes rapidly over the traditions respecting Oghuz Khan, and pauses at the history of the Seljukides, who are generally considered as the ancestors of and Ottomans. The second book treats of the origin of the dynasty of the latter, the of the reign of Osman, their first prince. The Turkish annals sometimes describe facts differently from Hungarian, German and other writers, who were interested in suppressing what was disadvantageous to the glory of their countrymen. M. de Hammer, on these occasions, gives the contradictory narratives, and generally adopts that which appears to be the most probable. We should have been much better pleased, however, if he had not dwelt with so much complacency upon the details of the massacres and cruelties committed by the Turks in their wars. We know too well that wars did not cease to be sanguinary till the introduction of military discipline, as it has existed for about two centuries. Prior to that period, as many were slaughtered as possible, not only during the battle, but afterwards. There are countries where war cannot be carried on without sacrificing prisoners; those, namely, which do not afford food sufficient for the supply of the armies, or in which it is difficult to procure provisions. Such was certainly the condition of most of the provinces which were the scene of the victories of the Ottomans. In inveighing, on the one hand, against the cruelty of the Turks, he should not have been silent in regard to that of the Greeks, a nation of whom we might justly assert, that their corruption and cowardice long called for the chastisement which they received from the conquests of the Turks, if humanity could undertake the justification of such great catastrophes succeeded by such a long series of misfortunes.

A revision of the volumes now under consideration would secure for this history of the Ottomans a place, which it would really merit, amongst the historical works of our time; since even now, in its actual condition, we cannot refuse our testimony to the prodigious research which it has cost its author.†

The foregoing critique, which is attributed to M. Klaproth, has produced a reply from M. de Hammer, containing the following passages:

Sir: I have received the *Universal* of the 5th March, containing a critical notice of the first three volumes of my *Ottoman History*. I shall never reply to those critics who comment upon my style, and I reserve my answer to those who attack me in regard to facts, till the conclusion of my work. Meanwhile, I think myself called upon to repel imputations, although devoid of foundation, which, if not referable to bad intention, spring at least from an imperfect knowledge of the language in which the work is written. In no part of it have I assumed the character of prophet, in predict-

\* This is a mistake: the poet Archilochus flourished about B.C. 685.—Ed.

† From the *Universal*, a literary and scientific journal of Paris, 5th Mars 1839.

ing the total overthrow of the Ottoman empire; and I defy the author of the article to point out the passage in which the prediction is to be found. If I have stated that, in consequence of the progressive march of European civilization, the Turks will one day return to Asia, I have not presumed to predict the epoch as near. After the Turks repass the Bosphorus, the Ottoman empire may continue to exist for ages to come in Asia, as it existed there a century and a half before the conquest of Constantinople. The writer of the article discovers that "in inveighing against the cruelty of the Turks, I should not have been silent in regard to that of the Greeks, a nation of whom we might justly assert that their corruption and cowardice long called for the chastisement of the Turks." I defy him to point out a single passage in the sources of the Ottoman history which I have searched, bearing testimony to this cruelty of the Greeks against the Turks during the ages which are comprehended in the first three volumes of my history. That the Byzantine writers should not record them may easily be conceived; but when the Turkish historians themselves say nothing of it, where should I have recourse for these instances of Greek cruelty? As to the corruption and cowardice of the Byzantines, I have adduced the most striking example in the part of the Greek city assaulted by the Emperor and his son, who served under the banners of the Sultan, in order to conquer their own city for the advantage of the Turks.

It is singular, that whilst the author of this article accuses me of being partial towards the Greeks, some German journals reproach me with being a Turkish zealot. The truth is that I have conscientiously fulfilled the pledge I gave in my preface, to write this history without *predilection* and without *aversion*, whether for or against Turks and Greeks, but with *truth* and *affection*;—with affection for the history of the East, and in particular the Ottoman history, with *truth* and *affection* (*mit wahrheit und liebe*). It is, therefore, not true, as the writer of the article alleges, that I have stated in my preface, that "I undertook this work, guided by *truth* and *predilection*." On the contrary, I expressly declared therein that I undertook it "without *predilection*" (*ohne vorliebe*);—without predilection for parties, but with affection for the object.

To this letter is appended a note, apparently by the writer of the article, in which he expresses his surprise at M. de Hammer's complaint, after he had been treated with such "extreme forbearance," the writer having "passed over in silence a great number of defects which disfigure his work." He justifies his remark respecting M. de Hammer's prophetic declarations, by quoting some passages from the work; which, however, we are bound in candour to say are insufficient for the purpose.

In regard to the alleged cruelties of the Greeks against the Turks, the writer says, that M. de Hammer has misconceived his meaning, if he supposed him to assert that the historian of the Ottoman empire, in speaking of the cruelties committed upon the Greeks by the Turks, ought to have expatiated equally upon those of the former against the latter; on the contrary, the writer is of opinion that M. de Hammer has accumulated too many of the horrible details which disgraced the wars of the middle ages. But in casting all the odium upon the Turks, it would have been but fair, he says, to have shewn what a wretched and barbarous race the Greeks of Byzantium were, and to have noticed the obstacles which the very existence of the Western empire offered to the propagation of European civilization, as well as the happy influence which the capture of Constantinople by the Turks has exerted over the progress of knowledge in this quarter of the world.

In regard to the complaint that the writer had not rendered the motto of M. de Hammer's work, "*mit wahrheit und liebe*," by "with truth and love," he says that had he done so he should have falsified the sense of the author; for the word *liebe*, which properly signifies "love," cannot be employed in French, in the same acceptation that it has in German, in the motto: it could not be said in French (nor in English) that the author of a book had composed

composed it with *love*. The term *predilection*, he says, affords the exact sense of the author, who meant, as he concludes, that he had laboured without wandering from historical truth, and with a predilection for the subject of which he treated.

## Royal Asiatic Society of Great Britain and Ireland.

*Saturday, April 4, 1829.*—A general meeting was held this day, at two o'clock P.M.; Colonel Tod in the chair.

The minutes of the anniversary meeting, held March 14th, were read and confirmed. Amongst the donations presented were the following, *viz.*

From Thomas Snodgrass, Esq., a splendid copy of Roxburgh's *Coromandel Plants*, coloured plates, in three large folio volumes. From Lieut. Colonel J. D'Arcy, a beautiful Persian MS., the *Makham al Asrar* (a work on Sufyism), by Sheikh Nizami. From Colonel Briggs, a copy of his translation of Ferishta's History, just published. From Professor J. J. Schmidt, a copy of his History of the Eastern Mongols. From Professor Fræhn, *Recueil des Actes des Séances Annuelles de l'Académie Impériale pour 1826 et 1827*; and *Die inschriften Von Derbend*. From the Rev. Dr. Morrison, a portrait of Chang-k'ih-ürh, the late leader of the rebellion in Chinese Tartary; and a copy and translation of a manifesto, issued by the *San-ho-hwuy*, or "Triad Society," found in the English burial-ground at Macao; the tenour of this document is to excite insurrection against the reigning family.

The reading of the Chevalier de Hammer's memoir on the diplomatic relations between the courts of Dehli and Constantinople in the sixteenth and seventeenth centuries, was commenced.

The first mention of a diplomatic intercourse between these courts occurs A.D. 1536, when, in consequence of the increasing power and conquests of Humaioon, Boorhaun, the son of Iskender, prince of Dehli, sought a refuge at the court of Sooleiman, the lawgiver. At the same time, and from the same cause, an envoy arrived, with presents to this sovereign, from Bahadur Shah, Prince of Guzerat, who had sent his family and property to Medina. Amongst these presents was a famous girdle valued at sixty crores. An account of this event, and of the death of Bahadur Shah, which happened shortly afterwards in an affray with the Portuguese, is detailed in Ferishta's History of the Kings of Guzerat. Twenty years subsequently letters were sent to Soleiman from India by a Turkish captain, whose journey is noticed in the *Transactions* of the Bombay Literary Society, vol. i. A translation of one of these letters is given by M. de Hammer in the appendix to his paper.

No account of any further intercourse between India and Constantinople is found until the reign of Murad IV., when, in 1632, Prince Baisancor, a son of Prince Daniel, one of the three sons of Akbar, came to Constantinople, as an asylum from the vengeance of Shah Khorrem, his cousin, who had then ascended the throne of Dehli. It would appear, however, from the passage in Naima's Turkish Annals, in which the reception of Prince Baisancor is detailed, that envoys had been previously sent from Shah Khorrem to the Sultan Murad; and a letter, of which one of these envoys was the bearer, is translated at full length in the appendix, which likewise contains translations of some other letters which passed between the respective monarchs of Dehli and Constantinople; and the copious extracts from Naima's Annals, with which M. de Hammer has illustrated his subject, detail the circumstances of various other embassies referred to in his paper.

The thanks of the meeting were returned to M. de Hammer for his communication, and the meeting was adjourned to Saturday the 2d May.

## VARIETIES.

## ASIATIC SOCIETY OF CALCUTTA.

A meeting of the Asiatic Society was held on the 12th Nov.; the Hon. Sir Charles Metcalfe, Bart. in the chair.

The fac-similes of two inscriptions found in Malwa, with an account of the place where they were discovered, by Capt. Franklin, were laid before the meeting, and some observations upon them by the secretary.

Some remarks on the climate of various parts of the Himalaya, by Capt. Gerard, were referred to the physical committee.

The secretary laid before the meeting, reports on the Neilgherry mountains, derived from the records of the Medical Board at Madras, with observations on their meteorological features, communicated by government.

The reputed salubrity of the climate of the Neilgherry hills, in the district of Coimbatore, has, for several years past, attracted a considerable share of public attention; and various accounts go to prove that the climate of the tract in question is quite as favourable to European invalids suffering from the diseases of this country, as that of the Cape of Good Hope, or of New South Wales. It appears that, under the protection and encouragement of the government of Fort St. George, many bungalows, or houses, suitably furnished and fitted up, have been already constructed on the tableland of those hills, which can be hired on reasonable terms by any public officers on the Madras establishment who proceed thither on sick certificate. The Bengal government being also desirous of ascertaining the best mode of procuring similar accommodation for civil and military officers on this establishment, whose health may require renovation by a change of climate, took immediate measures to obtain a full report on the subject, for general information; and the documents now laid before the Asiatic Society are the result of the investigation. — *Cal. Gov. Gaz.*

A meeting of the Physical Committee of this Society took place on the 22d of October; Sir Edward Ryan, president, in the chair.

A paper was received from Dr. Hardie on the geology of the valley of Oodeypore; and some specimens of the prevailing rocks about Simla were presented by Major Beatson. A third collection of specimens was received from Dr. Govan, illustrative of his paper on the geology of a portion of the Himalaya.

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Some valuable observations on the diamond mines of Punnah, by Capt. James Franklin, were read at this meeting.

Capt. Franklin commences his paper by a concise, though comprehensive view of the nature of the rock in which the diamond is found, and arrives at the conclusion that it is the same as that which is termed in England *new red sandstone*; he supports his opinion by various proofs of its siliferous nature, and concludes as follows: "These facts, therefore, together with the general horizontal position of the beds, the existence of lias limestone reposing upon them, the distinct interstratification of a series of slate clay, and above all, the cropping out of bituminous shale from beneath the whole mass, would appear to justify the use of the term which I have applied."

He next proceeds to describe the matrix of the diamond. "The rocky matrix of the deep mines is always a conglomerate; and if a gritstone, with a silicious cement, and its pebbles are of ancient rocks, and water-worn, it is termed *puk-ha*,\* or 'mature;' but if the cement is argillaceous, and its pebbles are of more recent rocks, it is called *kacha*,† or 'immature.' The matrix of the superficial mines is universally called *lalkakroo*, or 'red iron-stone gravel,' which is either imbedded in, or mixed with, ferruginous sand or clay. This gravel is water-worn, and sometimes quite rounded like swan-shot, and when found in the fissures‡ and interstices of the upper sandstone, it is mixed with ferruginous sand; but on the other hand, when it is imbedded in ferruginous clay, it is found reposing upon slaty marl.§ It is sometimes surmounted by a stratum, consisting of particles of common *kunkur* imbedded in yellow clay, which, occasionally mingling with it, forms another|| description of matrix, which being calcareous, is called *hudda*. The diamonds of the glen of the Bagin river have evidently been transported thither from their native hills, and in all probability the gangue, in which they now rest in the basin of the waterfall, greatly resembles the cascalho of the Brazils, or that of Sumbulpore in Southern India."

After this he describes each mine, and brings forward a number of facts unknown before in the history of the diamond. He thinks that the rocky matrix may be excavated

\* As on the counterscurf of the Punnah hills.

† At Punnah and Kumeriya.

‡ At Bangia, Bucktapore, &c.

§ As at Punnah, Kumeriya, Brijharce.

|| As at Sakarya, Udastra, &c.

cavated with tolerable certainty of success. The immature matrix is also tolerably productive; but the superficial mines he considers altogether as a lottery, in which are a few prizes and many blanks; and he concludes by a supposition, accompanied by proofs sufficient to direct the judgment, that the transported diamonds, or those which have been transported by diluvial action from their native beds into the glen of the Bagin river, offer the fairest opportunity for speculation. The mines of Mujgotha are thought to be of this description. The diamond is there found in a kind of green mud, which Capt. Franklin suggests may be the abraided matter of the same kind of slaty marl, which he observed covering the diamond matrix in the mines of Kumeriya and Punnah, here deposited *en masse*, and there in slates. This mud fills two-thirds of a chasm, and is covered by a calcareous incrustation. The following are Capt. Franklin's remarks on these mines:

"The diamond is rarely found in the calcareous crust, its *habitat* being in the green mud, and it is believed by the natives that the deeper a shaft descends the richer is the produce; but, although they are aware of this circumstance, their ordinary means have never enabled them to descend lower than fifty feet, the water at that depth overflowing their works and compelling them to desist. This deposit, therefore, and that of the basin of the Bagin river, appear to be two instances in which superior means might be employed with effect, and perhaps with profit."

He next describes the mode of washing and searching, which seems to be pretty much the same as in all other mines of this description; and his observations on the supposed re-growth of the gem are very interesting, but too long to be inserted here. His description of the diamonds found at Punnah is very full, and in it we find almost every species, from a gem of the purest water to that which is called in England *bort*, used generally in the arts for diamond dust; their crystalline form seems also to be well characterized. The regular octaëdron is found as perfect as if it had been shaped by art, the dodecaëdron, and also the spheroidal.

Capt. Franklin adverts to the revenue of the mines, and concludes his paper with some general and interesting remarks. First he observes, that as it was formerly supposed that diamonds were always found at a certain level above the sea, for the sake of comparison with other mines, he has given a series of barometrical levels of the floors of the mines, and also of the point at which all the matrices of every description have been swept away by diluvial agency. Se-

condly, he accounts, and apparently very naturally, for the fact of the diamond tract being limited in its extent. Thirdly, he compares the Punnah mines with the accounts given of the rock mines of Bangaripilli, in Southern India, by Drs. Heyne and Voysey, and coincides in the general conclusions of the latter, because he finds great accordance with the mines of Punnah; and finally, he starts an idea regarding the probable origin of the gem, which he offers with diffidence, considering it merely in the light of a conjecture. This interesting paper throws much light on the history of the important mineral to which it relates.—*Ibid.*

#### MEDICAL AND PHYSICAL SOCIETY OF CALCUTTA.

A meeting of this Society took place on the 6th September, at the Asiatic Society's apartments; H. H. Wilson, Esq. in the chair.

The papers submitted by the secretary and read at this meeting were, Mr. Royle on climate; a letter from Mr. Mercer, proposing a scheme for a medical retiring fund; a report on cholera, as it appeared in the district of Kemaon in the months of May and June last, by Mr. Mitchelson; and some observations on the fitness of Pooree Jagganath as a salubrious retreat for invalids.

As the subject of Mr. Mercer's communication, though interesting to the members individually, did not come within the scope of the objects of the Society collectively, it could not be taken into consideration; and the secretary was accordingly instructed to return the paper to the author, that he may submit his plan, through some other channel, to the profession.

Mr. Mitchelson observes, that at Almorah, in the months of May and June, the range of the thermometer was from 80° to 86°, while in ordinary seasons it has ranged from 74° to 78°, and it was during the prevalence of this increased heat that cholera first shewed itself, advancing from the villages to the eastward to the town, where it raged about fifteen days with great fatality. A heavy fall of rain for two days reduced the temperature, and happily diminished the effects of the disease. The complaint seems to have commenced in a mild form. Laudanum and ether, at short intervals, usually stayed the irritation of the stomach, and then ten grains of calomel, and two of opium, were given, which generally completed the cure. In several cases the attack terminated in a severe fit of the ague; but many were carried off in two hours from the first symptom. Mr. Mitchelson, from the inquiry he has been able to make in that quarter, is of opinion that, under ordinary circumstances, and if

if-treated in its earliest stage, the disease will readily yield to the remedies above-mentioned, whilst the great destruction of human life it has caused among the natives, leaves little doubt that, even in this manageable form, if left to itself, it is as certainly fatal as in its more sudden and violent visitations.

In the paper communicated by Mr. Twining, from Mr. Brander, Pooree Jagganath is recommended as an excellent resort for convalescents from those parts of Bengal not immediately on the sea-coast. The air at that station is said to be pure and invigorating, and from its equable climate, truly entitled to the appellation of the Montpelier of the East. As regards the passage down by sea, and the facility of landing, October to May constitutes the most favourable season; but as regards actual residence at Pooree, February, March, April, May, and the early part of June, are considered by Mr. Brander the best months; however, the most agreeable, and probably the most congenial to the constitution, are said to be the months comprised between October and February inclusive, when the mercury ranges from 64° to 76°. Adverting to the salubrity and uniformity of the climate, and the facility of access to Pooree Jagganath, Mr. Brander conceives it difficult, with such available advantages, to fix upon any spot better suited for a sanatorium, or convalescent retreat, than the one under consideration, a visit to which might, he thinks, in many instances, preclude the necessity of undertaking voyages to Europe or the Cape, performed frequently with considerable inconvenience and sacrifices.

Mr. Royle, attached to the botanic garden at Saharunpore, takes an extensive view of climate in different parts of the world, and particularly to the north of India, fixing upon the Mussoorie range as the most convenient spot at present for the erection of a convalescent station, it being already occupied with bungalows; and although the vicinity of the Mussoorie will for some time be the most eligible, on account of the excellence of the road to Rajpore, as well as on account of the proximity of Deyrah, Mr. Royle has no doubt that many situations, both on the right and left, may be found that will equally answer the purpose; but that which most forcibly strikes all who have visited the place, or have considered the subject, as best calculated for the object in view, is the range called Landour, of which the direction is east and west. The peak, so called, is about three miles from the Mussoorie. The range extending eastward is about 6,800 feet above Calcutta. The top of Landour is covered with oaks and rhododendrons, and the sides of the northern face with the com-

mon fir. Of the three military stations situated within the hills, Almorah appeared too warm in summer, and ineligible for the site of a convalescent post, on account of not being equally accessible at all times of the year. Simla is too distant and inconvenient, and its climate, though delightful in summer, appeared too cold in winter. The Mussoorie range is accessible at all seasons, and only one march is required to convey an invalid from the Doon into a fine climate, where the heat of summer and the cold of winter seem to be equally moderate.

It appears that the Landour range has been actually selected for the site of the convalescent post for the restoration to health of officers and soldiers labouring under, or recovering from, diseases induced by a residence in a hot climate, and that the buildings are making rapid progress under the superintendence of Capt. McMullin.—*Ibid.*

On the 1st of November, a meeting of this Society was held; Mr. H. H. Wilson, vice-president, in the chair.

A letter was read from Mr. Lawrence, of the Madras establishment, relating to the employment of phosphorus in cholera morbus, as communicated by Mr. Preston, of the same establishment, and read at a former meeting. In this letter the utility of the remedy is doubted.

The following communications were submitted by the secretary:—Remarks on the advantages to be derived from dilating the pupil for the operation of extraction of the lens, by Mr. W. Raleigh. A meteorological register, kept at Cawnpore, in May, June, July, and August, by Mr. J. Leslie.

Mr. John Tytler's remarks on the climate of Mullie, situated on the northern side of Tirhoot, were then read and discussed.

The cantonments of Mullie are about 100 miles nearly due north of the city of Patna, and consequently, at the utmost verge of the Company's territory, where it joins Nipaul, in the northern portion of the probably alluvial valley of the Tirhâee. Mullie itself is but an insignificant village. About twenty-five miles farther north is the first range of the Nipaul hills; and beyond them, again, the mountains of Thibet, covered with perpetual snows. To the southward of Mullie is the fertile district of Tirhoot, which extends all the way to the Ganges; and to the west that of Champaran. The whole of this country is flat and marshy, and the principal rivers near Mullie are the Gauduk and Bhugmutty, both of which approach the cantonments within ten or fifteen miles. Tirhoot is famed alike for its manufacture of castor oil and the indigo dye, and is one of the principal districts in India for the

the production of saltpetre, the soil being every where impregnated with that substance. In consequence, the ground, even in the hot weather, is so damp, that it is extremely difficult either to get earth of sufficient tenacity for making bricks, or when made, to find a spot sufficiently solid to sustain the weight of a house.

The greatest changes which take place in the atmosphere are during the hot weather, and commencement of the rains. At those seasons, the northern parts of Tirhoot particularly are subject to sudden and most terrific storms. During an oppressive hot day, with the thermometer at 96° or 98°, black and heavy clouds rapidly form in the horizon, and in an hour or two they advance so as to overspread the whole sky, and all at once pour down a tremendous hurricane of wind, thunder, lightning, rain, and, in the beginning of the hot weather, also of hail-stones of very large size, some almost as large as a hen's egg. By this, in a quarter of an hour, the temperature is reduced 15° or 20°. The tempest seldom, however, lasts more than two or three hours, and the thermometer soon recovers its former range. Such hurricanes happen at all hours, both of the day and night, but more frequently about sunset, when the fields of the young indigo are laid waste; the mango groves are strewn with blossoms torn from the trees, and the various crops of grain are all destroyed. The prevailing wind is from the east, inclining to south, blowing perhaps 300 days in the year, and generally with violence. Long exposure to its influence, particularly when asleep, in the day or during the night, is attended with extremely pernicious effects, either with an attack of fever or intolerable rheumatism. Remaining out late at night exposed to the dew, ought to be most scrupulously avoided.

Mr. Tytler adduces the case of a young man of delicate habit, who perished from exposure to the wind. A hurricane suddenly came on, accompanied by a very abundant fall of hail-stones, and he was imprudent enough to swallow many of them. When the first violence of the storm was over, a strong wind continued blowing through the night. Tempted by the coolness, after suffering much from heat, he opened his principal door, drew his cot across the opening, and there slept for the night, fully exposed to the blast: on awakening, he found himself totally unable to rise. By care and management, however, he in some degree recovered from the first shock, but never regained his original strength, and died after about six weeks of increasing debility and hectic.

The cantonments of Mullye are situated on the east bank of a lake form-

ing the deserted bed of the Bhagmutty river, and at all times in the highest degree loaded with aquatic plants and animals. In the dry weather fogs are not very common; but in the rains and cold weather, however clear the day may have been, at night a very heavy dew begins to fall, and by morning the whole atmosphere is charged with a fog so intensely thick, that a building at the distance of 150 yards is hardly visible, and the quantity of the moisture on the ground is as great as would be produced by a heavy fall of rain. When the rising sun begins to have a little power, the whole mass of vapour is seen rolling off the surface like an enormous coverlet rolled up from a bed, and apparently so thick, that it seems almost possible to follow and push it on. It rolls on to the horizon, and settles for the rest of the day in a thick settlement on the summits of the hills, presenting the appearance, no doubt, alluded to by the prophet Joel, ii. 2, when he compares a numerous army to the "morning (that is the morning mist) spread upon the mountains." At these times, Mr. Tytler has observed, what has not occurred to him as noticed by others, that living vegetables seem to have the power of actually attracting the moisture from the air. He invariably found a much larger quantity of dew spread on the grass than on dry places. A foot-path, for example, would appear quite dry, and in some degree dusty, while the grass on both sides was covered with moisture sufficient, had it been spread in equal proportion over the path, to have converted it into a muddy puddle.

As a further illustration of the nature of the atmosphere and climate of Mullye, Mr. Tytler adds the following observations:—During the rains the immense abundance of cold-blooded animals is really astonishing: of these, frogs are the most numerous. No place is free from this plague; every hole and every corner, both of the most retired and most public rooms, are equally infested. If a table, a chest of drawers, or a box be moved, or a carpet be lifted, they are found nestled underneath by fifteens or twenties in each corner, and it is the same, whether in hall, bed-room, or sitting-room. There they remain during the day, and towards sunset they begin to issue from their secret places, and traverse the whole house in quest of prey.

The following anecdotes will give some notion of the plague of insects:—One morning, at sunrise, Mr. Tytler was awakened by a loud humming in his bed-room, resembling that of a market or fair held at a distance. On examination, the window was darkened, and his bed covered with an Egyptian swarm of gigantic winged ants, about an inch and a quarter long,

long, the thickness of a crow's quill, and of a dark red colour, issuing in an interrupted stream from a hole between the square tiles of the floor. Such swarms are very common, and the air is then crowded with crows and hawks that come to devour them. One evening, about an hour after sunset, Mr. Tytler was alarmed from without by what seemed an excessively heavy fall of rain, pouring in torrents. On looking out, the night was perfectly clear. Curiosity led him to take a light and examine into the cause. He found the noise proceeded from an almost inconceivable number of black beetles issuing from the ground; they were somewhat larger than the first joint of the thumb, and their aggregated hum was the sound he had heard. To say they were coming from the earth in thousands, or tens of thousands, scarcely gives an adequate idea of their appearance. They must be conceived as issuing in a continued torrent from every inch, over the whole ground, and filling the atmosphere with their flight. Mr. Tytler gives another instance. Mullye produces, above all other places, those insects which are destructive to books and papers.

Notwithstanding the greatest care, exposure, and cleanliness, the outside of books appears perforated with small holes, as if by a pin, and seemingly made for the entrance of a small species of white worm, about a quarter of an inch long, colonies of which having thus got entrance among the leaves, there revel and perform their work of destruction. They eat in serpentine labyrinths till the whole book is traversed through and through, and consumed. Luckily they seem to have a dislike to ink, and seldom attack the printed part of the leaves till they have previously feasted on the margin.

It is also observed that books of all kinds become, in the rainy season, so swelled with moisture, that a shelf cannot then hold more than three volumes out of the four that it easily contains in the dry part of the year. Books bound with ill-seasoned, particularly with Hindoostanee, leather, and still more especially if left to be neglected on a table for a day or two, become covered with a stratum of white mould, at least an eighth of an inch thick, and an approach to this takes place even in the best Europe leather. The boards are then soaked through with moisture, whilst in the hot winds they are parched and rolled up as if held before a fire. After this it may be imagined that the moths among clothes—and the omnivorous white ants, among almost every thing, but particularly the timber of buildings—are fully proportioned in numbers to their kindred plagues already described. It is added, that small mushrooms spring up in every

corner that is the least neglected, even in the most frequented rooms; but they are generally discovered and brushed away before they reach maturity.

The prevailing diseases are tedious rheumatism, fevers of an ardent type, and also those called jungle fevers, of a low and more malignant kind. Two others are very prevalent among the natives—a tedious incurable diarrhoea, and the swelling in the throat, the *goitre* of the Alps, or the *ghega* of Hindoostan, which is often seen of an enormous size.

Such is the climate of Mullye and its immediate vicinity; but the southern parts of Tirhoot, from the town of Moozufferpore to the Ganges, are generally considered extremely salubrious.—*Ibid.*

#### AGRICULTURAL AND HORTICULTURAL SOCIETY OF CALCUTTA.

A meeting of the Horticultural Society took place on the 3d Dec. in the hall of the Asiatic Society, pursuant to a circular from the president. It was but thinly attended.

The chair was taken by the president (Mr. Leycester) at eight o'clock, who proposed to the few members then assembled that Dr. Carey should be nominated secretary in the room of Mr. Barnett, deceased. The rev. gentleman stated that his residence at Serampore, and constant occupations, ill fitted him for the situation, but nevertheless he willingly undertook the duties.

The president stated that, in consequence of the sale of articles from the Society's garden during the past month a saving had been effected, so that the account sales exceeded the expenses by a few pice, and he proposed that the Garden Committee should be authorized to expend monthly on the garden the sum of 267 rupees during the next quarter. This was carried, although opposed by Mr. Robison on the ground that there remained no funds in the hands of the treasurer, as he understood that the Garden Committee had expended their whole funds, viz. 11,000 rupees, not only without their knowledge and consent, but against a deliberate resolution of the Society, at a meeting held in May 1827, for the special purpose of enacting all the rules necessary for the garden, and which, among other provisions, stipulated that the sum of 240 rupees, the exact income of the Society, should only be expended upon it. Mr. Robison stated further, that in the same meeting to which he alluded, it had been ordered that the Garden Committee should make regular reports to the Society of the progress of the garden, and of what was further proposed to be done; but as no report had ever been made to the Society of the garden proceedings, and no sanction asked for the expenditure



expenditure upon it, or otherwise, of the whole of the Society's funds in the short space of twenty months, he could not bring his mind to sanction any further outlay till he saw whence the monies were to come, and heard a report upon the state of the garden. He further begged that the resolutions and regulations to which he alluded might be read.

Mr. Leycester stated that the books of the Society were then at Serampore, and therefore the request could not be complied with.

Mr. Robison then moved, "that an extraordinary meeting should be called on the second Wednesday of January next, before which meeting the Garden Committee should be requested to submit a report of what had been effected in the garden since it had been given to the Society by Government, what sums had been expended, and under what sanction from the Society."

This motion was agreed to.

Dr. Carey proposed that an early day in January next should be fixed for the show of vegetables by native mallies in the Town-hall, and the distribution of the prizes and medals of the Society.

A conversation took place as to the fund out of which this expense was to be defrayed; when it appeared from the accounts of Messrs. Alexander and Co., treasurers of the Society, laid on the table, that there were only 226 rupees at the credit of the Society; but it appearing also that some monies were due to the Society, and would soon be realized, the motion was agreed to.

The first volume of the *Transactions* of the Society was reported by the president to be ready for delivery, and he proposed that five copies should be presented to Government, one copy gratis to each member of the Society, and a few copies sent to the Court of Directors. The copies to Government and the Court of Directors were ordered to be forwarded; but it was proposed, and agreed to, that the order of copies to members should be deferred till a future meeting of the Society took place, and it appeared how the expense of printing and publishing was to be defrayed.

The president proposed that the Society should undertake the expense of translating and publishing the *Hortus Bengalensis*. The value of the work was admitted by the meeting, and also the expediency of the undertaking if the Society's funds could afford it; but it was agreed to defer the consideration of this question till another opportunity.

The president stated that the remittance of 1,000 rupees for the purchase of English fruit-trees during the past year had been repaid in the hands of the treasurer by the sale of the trees, besides

affording a number of trees for the Society's garden.

The president stated that a remittance had been made to England in December 1827, for a supply of garden seeds for distribution during this present season, but that they had not yet arrived, and he hoped would not.

It was observed by a member that such remittance had been directed by the Society to be made early in September 1827, and to delay it till December was not only disappointing—a most important object of the Society, but wasting its funds, as in all probability the letter containing the remittance did not go home till January, and it was physically impossible for the seeds to be here in August, the proper month of distribution to native mallies and others.

The president informed the meeting that he had forwarded many very valuable plants to the garden, and he proposed himself as the superintendent of it in future, as he knew himself to be the person best qualified to superintend its proceedings. To this it was objected, that, however excellent a botanist and horticulturist he was himself, still to appoint such a superintendence was defeating the ends of the Society, the object of which was, not so much to have a perfect garden, as by dividing the superintendence of it among the members of the Society, to keep their interest alive, and to spread horticultural knowledge as widely as possible; that this was so much the view originally taken by the members, when the garden was acquired, and the rules for its management framed, that the members of the Garden Committee were directed to go out by rotation, unless re-elected by the Society. No resolutions were come to on this point.

The president read a short paper recommending the raising of garden and other seeds, for transplanting in shallow earthen porous pans filled with sand, and which pans are to be kept moist by being kept on a stand half immersed in water. He stated that the plan had been very successful with himself, and proposed it for the adoption of others. Three such pans, with different kinds of seeds in a state of beautiful vegetation, were exhibited to the meeting.

The meeting adjourned to the second Wednesday of January, when the matters contained in Mr. Robison's motion will be taken into consideration, as well as the other subjects which were deferred.

—*Beng. Chron.*

#### VOLCANO IN NEW SOUTH WALES.

The existence of a volcano near Hunter's river, New South Wales, is now ascertained beyond a doubt, from a visit paid to

to it by Mr. Mackie, of Cockle Bay, who set out with a small party of labouring assistants from Sydney to the banks of the Hunter.

Mr. Mackie reports that the volcano lays in a direction about twenty-five miles distant from, and nearly north-east of, Mr. M'Intyre's estate at Segenho, being close upon Page's river. The volcano is quite obscure, he adds, till the spectator comes within a quarter of a mile of it, and then, if it be in the day-time, and the sun be shining, a dense volume of flame suddenly bursts upon the eye, mingled with smoke commonly, and in particular when the weather is dull, of a lurid reddish cast. By night the flame can be seen distinctly rising in a sulphurous bluish column, and stretching away through the atmosphere. The mouth of the volcano is described as lying between the peaks of two mountains, to which the native blacks have given the appellation of "Wingen." There is no appearance whatever of lava at the base, or along the sides of the mountains between which the volcano is pitched. To ascertain the existence of lava, Mr. Mackie used every exertion, but without success. Mr. Mackie and his party approached to the brink of the crater by a precipitous ascent. The crater he describes as extending twelve feet in width, and thirty feet longitudinally. The ground, for a considerable distance round the crater, was found invariably to be of a black and tarry texture, and totally devoid of moisture. There were a few burnt-up stumps of trees, which had no hold in the ground, and could be overturned by the weakest exertion. About five feet from the volcano, on one side, Mr. M. and his party threw up a barricade, to protect them whilst digging into the ground, from the intense heat of the volcano, which resembled that of a furnace. The party could not remain at the work of excavation longer than from five to six minutes at a time, the ground every foot the deeper they sunk into it becoming hotter and hotter. At length, with much exertion, and by working at the windward side, the party had in one place got eight feet into the ground, at which depth the pickaxe struck against a rocky substance; into this the party mined, though with difficulty, owing to the hardness of the rock. With the assistance of gunpowder, a portion of the substratum was blasted, and underneath there appeared a stratum of coal, strongly bituminous, affording every evidence for a presumption that a vein of native sulphur could not be far distant. Of the bituminous substratum Mr. Mackie did not neglect to preserve some specimens. Along the loose and precipitous sides of the mountains, between whose peaks runs the crater of the volcano, Mr. M. reports that no water whatever could

be found. The soil was loose and parched; and, for about a mile and a half downwards there was no appearance whatever, save a few cindered stumps, of vegetation going forward—not a patch, not a blade of grass appeared to cheat the eye—to the mouth of the crater, for a mile and a half below, all is a rude, barren, arid waste. It would seem as if the crater were hourly extending wider and longer. Whilst Mr. M. and his party remained on the mountain the work of combustion was rapidly going forward—there was no fixity in the earth for some distance from the crater—it was incessantly shaving and splitting, and masses of earth were observed every now and then parting and tumbling into the volcano, the flame of which seemed to derive, after a short stifling, an increase by feeding. During Mr. M.'s progress, he more than once narrowly escaped destruction. Whilst giving directions one day to his party to dig into a particular spot, happening to step over a broken portion of the ground, Mr. M. sunk into it, and it was with the utmost exertions of some of his party that he could be extricated, after suffering much injury from the extremely heated nature of the ground. Some native blacks who accompanied the party, recommended Mr. M. an emollient application of gum, which contributed greatly to ease the smart of his burns and bruises. Every thing contributes to shew that this phenomenon cannot have been of long duration. The native blacks who have "sat down" often before in that neighbourhood, are said to gaze upon the volcano with an expression of astonishment and dread, as if its existence were perfectly strange to them: they call it "deebil, debbil." It does not appear as if an eruption had ever yet taken place; there is, as we have remarked, no appearance of lava, and the extent of the crater, though said to be daily enlarging, when Mr. M. left the spot was not very considerable. It is evident that a vein of bitumen exists to supply the subterranean fire. Mr. M. and his party were, on the whole, about four months away from Sydney. Mr. M. has brought back several specimens of the mineral and vegetable world: amongst the former, detached samples of saltpetre, alum, sulphur, and coal. In a few days hence, we are told, Mr. M. again sets out on his return to the neighbourhood of the volcano, in order to renew his scientific researches.—*Australian*, July 30.

#### PHRENOLOGY.

In the Edinburgh museum is the skull of a Malay, native of the Bali islands, who was a notorious robber and murderer. His head will be found to indicate, by the development of the phrenological organs, that he was a good,

an intellectual, and a benevolent man. The skull will be found of a greater capacity in size than are the crania of many Europeans with which it may be compared. The organs are comparatively small, and the intellectual organs absolutely and relatively very large. Sir Wm. Hamilton contrasted the phrenological measurement of this skull with that of the celebrated Buchanan, by which it is seen that the Bali murderer, who was executed for killing his wife by sawing off her head, possessed the organs of veneration, benevolence, &c. in a higher degree than Buchanan, and those disposing to combativeness and destructiveness in a less degree; whilst on the other hand, Buchanan, one of the most intellectual characters Scotland has produced, has all the intellectual organs less fully developed than they are found in the Bali robber.—*Stone's Ev. against Phrenol.*

#### AGRA—THE TAUJE.

"We arrived here yesterday at sunset, crossing the Ganges immediately opposite the Tauje, in the outer court of which our tents are pitched. My expectations have been more than realized in this most elegant and most refined of buildings; no model, no painting, no language can convey the faintest resemblance of the effect of the original. To be understood, it must be seen; to be felt it must be gazed upon. There is an elaborate and artificial accuracy of design, a rich and luxuriant completeness of execution, combined with a general air of repose, simplicity, and perhaps melancholy, but melancholy of the mildest and least painful character. I have seen more solemn and more imposing memorials of the dead; none in which all that awes, disturbs, distresses human feelings was so carefully concealed—none in which human art had so successfully thrown a grace and a charm round the most serious and most instructive record of human fate. After the Tauje, it might be supposed Agra had little left to see or to describe; but there is much, if not striking, that is worthy of notice. The 'Mootee Murjed' is a beautiful building, as chaste, though not so rich as the Tauje, a fitting shrine for the worship of a monarch, who, even in his communions with the Creator of all, acknowledged no identity and no equality with other created beings. The fort is a fine and rather grand edifice, more like a castle, and its gateways particularly handsome. But there is that at Agra which, to a reflecting mind, speaks ever more forcibly than perhaps the magnificent buildings I have attempted to describe: I mean the ruins. There is not an inch of ground for miles but is the site of former habitations, levelled or tottering, and their possessors dispersed or passed away.

"We have just returned from the ruins at Secundra. The tomb of Acber is rather curious than in good taste; but still there is a grandeur about it, a vastness and solidity, not unsuited to the fame of the greatest of the Timour race. The tomb itself has been lately repaired; but the gateways and the walls and enclosures are in a wretched state, and must soon participate in the condition of the surrounding ruins. The marble slab or block on which Acber's name is written is most exquisitely carved, and the court surrounding it has something of the character of the court at the Mootee Murjed."—*Beng. Chron., Nov. 18.*

#### ANTEDILUVIAN REMAINS.

Some antediluvian remains of a very remarkable kind have recently been discovered in some caverns at Bize. These remains include, amongst a variety of fossil bones of animals, some which are decidedly human, including human teeth still covered with the enamel. The remains are imbedded in black mud, which contains also numerous pieces of pottery, some fragments of which are of sufficient size to admit of their original form being known, which is elegant, and referable to the Etruscan kind. There is no doubt that the animals are of antediluvian race, and the only question is, whether the human relics are fossil, or whether they are not to be referred to a different epoch; if so, how did they get there? Messrs. Tournal and Serres, who have transmitted an account of this curious discovery to the Academy of Sciences at Paris, intend to publish a description of the caverns, and a particular account of the remains. These gentlemen are of opinion, from the appearance of the bones, that they are to be assigned to the same period; and they account for the circumstance of human bones being found amongst those of animals which have hitherto been considered to have become extinct prior to the existence of mankind, by supposing that certain of these animals prolonged their existence till a later period than is commonly imagined. The Academy has referred the communication from Messrs. Tournal and Serres to a committee, consisting of Messrs. Cuvier, Brongniart, and Cordier: their report upon this unique discovery will no doubt be highly interesting.

#### THE KOOKIES OR LAENGHEHS.

The *lex talionis* is carried to a very refined pitch by the Kookies, Laenghehs or Zous, a savage tribe who inhabit the country bordering on the Bengal and Ava territories, to the north-east of Chittagong, erecting their villages or *parahs* upon hills. "They are of a most vindictive

dictive disposition," says Mr. Macrae ;\* blood must always be shed for blood ; if a tiger ever kills any of them near a parah, the whole tribe is up in arms, and goes in pursuit of the animal ; when, if he is killed, the family of the deceased gives a feast of his flesh, in revenge of his having killed their relation ; and should the tribe fail to destroy the tiger in this first pursuit of him, the family of the deceased must still continue the chase ; for until they have killed either this or some other tiger, and have given a feast of his flesh, they are in disgrace in the parah, and not associated with by the rest of the inhabitants. In like manner, if a tiger destroys one of a hunting party, or of a party of warriors on a hostile excursion, neither the one nor the other (whatever their success may have been) can return to the parah without being disgraced, unless they kill the tiger. A more striking instance still of this revengeful spirit of retaliation is, that if a man should happen to be killed by an accidental fall from a tree, all his relations assemble and cut it down ; and however large it may be, they reduce it to chips, which they scatter to the winds, for having, as they say, been the cause of the death of their brother."

#### CHINESE MOURNING.

The death of a father or mother occurring in China to a person who holds official rank, disqualifies him for three years : he must, although the governor of a province, on the death of a parent, relinquish his office immediately. The Tartar officers are by law required to mourn for a parent only one hundred days. These deaths and mournings open doors for promotion just as the marriages of fellows at Oxford or Cambridge. Only the pagan Chinese, whose misfortune it has been to lose a parent, is disqualified but for three years ; whereas the Christian graduate who has had the fortune to marry a wife, is disqualified for ever to receive the privileges of a fellow. We are led to these reflections by observing in the *Peking Gazette* that Tooliok-waningy-choo, the resident at Oromousl, is obliged to relinquish his appointment on account of his mother's death.—*Canton Reg.*

#### SITTING IN THE AIR.

It appears from the India papers, that the Brahmin who distinguished himself at Madras by the extraordinary feat of sitting in the air (see p. 339) is dead, and that he has carried his secret to the grave. From an accurate representation of his mode of sitting, which is given in a wood engraving now before us, it would

appear that the solution of the secret must be found by some other hypothesis than that in the *Calcutta Gazette*. The arm of the man did not rest upon the upright bamboo, as the writer supposed, but upon a slip of deer or cow hide (or what seemed to be such), which rested loosely (according to the testimony of eye-witnesses) on the top of the bamboo, which was forked. According to the cut and descriptions, the feat is altogether inexplicable. A native has written, in the *Calcutta Literary Gazette*, an explanation of the manner in which this art is acquired, whence it appears that it is treated of most particularly in the Shasters, and is said to depend upon *Coombhukh*, or the art of fully suppressing the breath ; *Narreeshoodhu*, or cleansing the tubular organs of the body, as veins, arteries, nerves, &c. ; and, lastly, *Pranayam*, or a peculiar mode of drawing, retaining, and ejecting the breath ! The process must be strictly persevered in as respects place, time, season, and regimen ; and the result is, that the specific or relative gravity of the human body is changed, so as to enable the adept to sit at any height in the air ! Truly we have much to learn from Hindu science.

#### YOGEE MAGICIANS.

"I was once in the presence of the emperor of Hindustan," says Ibn Batuta, "when two Yogees, wrapt up in cloaks, with their heads covered, came in. The emperor caressed them, and said, pointing to me, this is a stranger ; shew him what he has never yet seen. They said, we will. One of them then assumed the form of a cube, and arose from the earth, and in this cubic shape he occupied a place in the air over our heads. I was so much astonished and terrified at this that I fainted and fell to the earth. The emperor then ordered me some medicine which he had with him, and upon taking this, I recovered and sat up : this cubic figure still remaining in the air just as it had been. His companion then took a sandal belonging to one of those who had come out with him, and struck it upon the ground, as if he had been angry. The sandal then ascended, until it became opposite in situation with the cube. It then struck it upon the neck, and the cube descended gradually to the earth, and at last rested in the place which it had left. The emperor then told me that the man who took the form of a cube was a disciple to the owner of the sandal ; and, continued he, had I not entertained fears for the safety of thy intellect, I should have ordered them to show thee greater things than these. From this, however, I took a palpitation at the heart, until the emperor ordered me a medicine, which restored me."

\* *As. Res.* vol. vii. p. 180.

## ASIATIC INTELLIGENCE.

## Calcutta.

## GOVERNMENT GENERAL ORDERS.

## RELIEF OF TROOPS.

*Fort William, Oct. 24, 1828.*—With reference to General Orders of the 5th ult. the following alterations are made in the destination of certain corps in the presidency and Benares divisions at the ensuing reliefs:

*Presidency Division of the Army.*

53d Regt. N.I. from Bareilly to Barrackpore, instead of to Berhampore.

63d Regt. N.I. from Hansi to Berhampore, instead of to Barrackpore.

*Benares Division of the Army.*

90th Regt. N.I. from Cuttack to Mirzapore, instead of to Benares.

55th Regt. N.I. from Dehli to Benares, instead of to Mirzapore.

*Head-Quarters, Camp Nulroo, Oct. 28, 1828.*—With the sanction of government, the Commander-in-chief is pleased to direct that the following movements take place at the close of the ensuing artillery practice season:

1st troop 1st brigade Horse Artillery to march from Cawnpore to Muttra.

1st troop 2d brigade Horse Artillery to march from Muttra to Kurnaul.

*Head-Quarters, Camp Pattealad, Oct. 30, 1828.*—The Commander-in-chief is pleased to notify to the army that an exchange of quarters has been ordered between H.M.'s 38th and 44th regiments of Foot. These corps will commence their march from Cawnpore and Ghazepore respectively on the 1st proximo for their new destinations.

## SYLHET CORPS.

*Fort William, Nov. 8, 1828.*—The Right Hon. the Governor-general in Council, adverting to the tranquil state of the Sylhet frontier, and to the diminished call for troops in that quarter, has been pleased to direct that two companies of the Sylhet battalion shall be transferred to the Assam Lt. Inf., to complete the establishment authorized for the latter corps, and to enable it to meet the increased duties which will devolve upon it by the removal of troops of the line from the province.

The transfer of the two companies is to be made exactly as they shall stand on the receipt of this order, without exchanges or removals in any rank, and the command-

ing officer of the Sylhet corps will consider himself authorized to grant discharges to commissioned, non-commissioned officers or sepoy of the companies ordered for transfer, who may be desirous consequent on these orders of retiring from the service; but, considering the advanced pay that all classes will become entitled to by incorporation with the Assam Lt. Inf., which is to be particularly explained to the men, it is inferred that the measure directed will prove generally satisfactory to the parties whom it may concern.

His Lordship in council is pleased to designate the 9th and 10th companies for transfer, by which the Sylhet corps will be reduced to eight companies, which is henceforth to be considered its fixed establishment.

The transferred companies are to retain their present clothing, and to march with arms, accoutrements, and other equipments complete. The officer commanding the Sylhet Lt. Inf. will be furnished with detailed instructions direct for his further information and guidance.

## NEW REGULATIONS—ARMY ALLOWANCES.

*Fort William, Nov. 29, 1828.*—1. The Right Hon. the Governor-general in Council is pleased to publish the following regulations, in obedience to instructions from the Hon. the Court of Directors, communicated in their military general letter under date the 28th May 1828:

*Half Batta Stations.*

2. That Barrackpore, Berhampore, and Dinapore shall be considered half batta stations from the 1st proximo. Officers belonging to corps now at those stations are exempted from this regulation so long as their respective corps continue to occupy their present cantonments.

3. That Dum-Dum shall likewise be considered a half batta station from the same date. Field officers at present attached to battalions, and captains and subalterns to troops or companies now at that station, are not to be affected by this regulation so long as their battalions, troops, or companies respectively continue at Dum-Dum, and the officers now exempted remain attached to them.

4. The above regulation is equally applicable to staff as to regimental officers at the stations of Barrackpore, Dum-Dum, Berhampore, and Dinapore, respectively.

5. The table of pay and allowances published in G. O. under date the 12th Aug. 1824 (No. 231), is to guide the Audit Department in the scale of tentage and house

house rent to be passed to officers when in receipt of half batta.

*Allowance for the command of Troops and Companies.*

6. That the allowance granted to officers for the command, &c. of troops and companies be divided into two portions, and drawn under the heads of "command money," thirty rupees, and "repairs of arms and accoutrements," including writing and stationery, twenty rupees, per mensem.

*Brigadiers' Allowances.*

7. That the first class of brigadiers, viz. those in command of subsidiary or field forces on or beyond the frontier, for which special allowances have hitherto been fixed, shall receive, from the 1st proximo, a staff allowance of 1,000 rupees per mensem, with forty rupees for stationery, and thirty rupees horse allowance, exclusive of regimental pay, batta, and tentage.

8. Officers at present in command of forces, who suffer a diminution of allowances under the operation of this order, are authorized to draw, in addition to the staff salary, &c. of 1,070 rupees, a compensation equal to the difference between their existing allowances and those now sanctioned.

9. That the second class of brigadiers, viz. those in command of interior districts or important fortresses, shall receive from the same date a staff salary of 750 rupees per mensem, with twenty rupees for stationery, and thirty rupees horse allowance, exclusive of regimental pay, batta, and tentage, with house rent when entitled to it.

*Medical Officers.*

10. That the hospital allowance for medicines, &c. at present drawn by medical officers in charge of corps, detachments, and establishments, European and native, be abolished. That hospital necessities of every description, with exception of Europe medicines and instruments (to be supplied on indent checked by the Medical Board), shall be furnished by the commissariat; and that in lieu of the present the following allowances are authorized.

11. To every surgeon attached to the military branch of the service in charge of a regiment or battalion, the batta of major in lieu of that of captain, with a palanquin allowance of thirty rupees a month; and to every assistant surgeon in charge of a corps, or of a detachment not less than five companies of natives, or two of Europeans, the batta of captain in lieu of that of lieutenant, with thirty rupees a month for a palanquin.

12. To all medical officers holding separate charges inferior to those above specified, a palanquin allowance of thirty rupees a month is authorized.

13. Officers commanding posts and stations are directed, on the publication of this order, to cause committees to be assembled, of which the commissariat officer, where one may be present, is to be a member, to report upon the number and value of the cots in use in native hospitals; and according to the determination of these committees, compensation will be allowed to the medical officers to whom the cots may belong, when they will be made over to the charge of the commissariat department.

14. The above regulations, in regard to the medical branch of the service, will have effect from the 1st January next.

**BHURTPORE PRIZE-MONEY.**

*Fort William, Dec. 1, 1828.*—The Governor-general in Council has the pleasure to announce that the Bhurtpore prize-money will be distributed to the captors so soon as the necessary statements can be prepared by the Special Prize Committee.

**COURTS-MARTIAL.**

**CAPT. RAWLINS.**

*Head-Quarters, Simla, Aug. 13, 1828.*—At a European general court-martial, re-assembled at Cawnpore, on the 28th of June 1828, of which Lieut. Col. M. Childers, C.B., of H.M.'s 11th Light Dragoons, is president, Capt. John Rawlins, of the 2d battalion of the Artillery Regiment, was arraigned on the following charges:

*Charges.*—1st. With having neglected to draw, until the 1st of March 1828, in the mode prescribed by the regulations of the service, arrears of pay and batta due to Mundloll, Pheroo, Maun Sing, Burrear, Soocumber, Eulloo, Bullie, Guzza, Gunga Sing, Gunga Deen, and Hulman Sing, lascars attached to Capt. Rawlins's company, who rejoined from leave in August and September 1827, thereby subjecting these lascars to the deprivation, for several months, of money justly due to them; and further, having, on the 23d, 24th, and 25th of Dec. 1827, confined Maun Sing, Gunga Deen, Gunga Sing, Bullie, Burrear, and Mundloll, lascars, before-mentioned, upon their applying for a settlement of the arrears due to them.

2d. With having, on or about the 12th of Feb. 1828, when desired, on parade, by Lieut. Col. Biggs, his commanding officer, to remove from the quarter-guard a tumbrel containing money, which had been placed there by Capt. Rawlins without permission, and retained there by him in violation of an order for its removal, replied with a sneer, "that he should hold him (Lieut. Col. Biggs) responsible for the money, and that he had a right to keep a tumbrel at the quarter-guard."

3d. For having, between the 21st November

vember 1827 and the 9th March 1828, in his official letters to Lieut. and Adj. Garrett, Lieut. and Acting Adj. Reid, and Lieut. and Adj. Mackay, used a disrespectful style of language, evincing a systematic spirit of cavilling and opposition to the authority of his commanding officer, particularly in the following instances, viz. in his letters dated 21st Nov. and 7th and 10th Dec. 1827, 25th, 26th, and 29th Feb., 3d and 9th March 1828, the last letter having been written after the tone and style of his former correspondence had been reprehended by Lieut. Colonel Stark.

4th. With unofficerlike conduct, in having, in a letter dated 11th March 1828, addressed to the Deputy Assistant Adjutant-general, Cawnpore division, incorrectly stated as follows: "On the 23d I forwarded my statement in letter A, with the paymaster's correspondence with me; and which, after a delay of eight days, was returned with an answer, dated 31st January;" whereas, the "statement" and "correspondence" referred to by Capt. Rawlins were sent direct by that officer to Lieut. Col. Biggs on the 31st of January; and an answer was returned to Capt. Rawlins in the course of the same day.

Such conduct, as alleged in the foregoing charges, being highly prejudicial to good order and military discipline.

Upon which charges the court came to the following decision:

*Finding.*—The court having maturely deliberated on the evidence before them, are of opinion, that the prisoner, Capt. John Rawlins, of the 2d battalion of the regiment of artillery, is not guilty of the 1st charge, and acquit him thereof.

That on the 2d charge, he (Capt. Rawlins) is guilty of disrespect to his commanding officer (Lieut. Col. Biggs), but acquit him of the remainder of the charge.

That on the 3d charge, he (Capt. Rawlins) is guilty of "evincing a spirit of cavilling and disrespect," in some of the letters referred to in the charge, but acquit him of the rest of the charge.

That he (Capt. Rawlins) is not guilty of the 4th charge, and do acquit him of the same.

*Sentence.*—The court having found the prisoner guilty to the above extent, on the 2d and 3d charges, do sentence him, Capt. John Rawlins, 2d battalion of the regiment of artillery, to be severely reprimanded, in such form and manner, and at such time and place, as his Exc. the Commander-in-chief may be pleased to direct.

Disapproved,  
(Signed) COMBERMERE,  
General, Com.-in-chief.

Remarks by the Right Hon. the Commander-in-chief.

The Commander-in-chief can neither

approve nor confirm the proceedings of this court-martial.

In regard to the first part of the 1st charge, it is proved that, owing to a neglectful delay in complying with the battalion order of the 27th Sept. 1827 on the part of Capt. Rawlins, the pay of the men referred to was not received at the same time as that of men similarly situated of another company, namely, when the abstract for October was paid. Nor did the prisoner take any steps for complying with the instructions he received from the Presidency Paymaster, dated 2d Jan. 1828, by which he would have obtained a settlement of the sums due to them; it further appears that the pay of the men was not actually drawn until the 1st March, in compliance with an artillery division order of that date. With these facts in evidence, it is unaccountable to his Lordship how the court could have pronounced an unqualified acquittal on this very serious charge. The evidence taken on the remainder of the charge, proves to his Excellency's mind, that the lascars were harshly confined on applying for the settlement of their claims, a grievance arising out of Capt. Rawlins's neglect of duty, since the explanation offered to them could never have been supposed satisfactory to men in their situation; under these circumstances, his Excellency considers the finding on the 1st charge to be in direct variance with the evidence.

His Excellency considers that the whole of the 2d charge is, in like manner, clearly substantiated, as it cannot admit of a doubt that the prisoner had placed the tumbril with treasure under the charge of the quarter-guard without permission; and although he eventually removed it, he retained it there in violation of repeated orders, both verbal and written.

Nearly all the letters referred to in the 3d charge are, in the Commander-in-chief's opinion, most correctly described; the one of the 9th March is of that character, and was written after the censure from Lieut. Colonel Stark had been communicated to the prisoner; yet the court has acquitted him of the latter part of the charge, and qualified their finding of guilty on the remainder.

On the 4th charge, the Commander-in-chief considers the acquittal of the prisoner to have been justly pronounced; but he observed with surprise, that the two persons who could have elucidated the charge, namely, the orderly who carried, and the servant who delivered the letter, were not examined.

Having thus stated the grounds on which his Excellency has drawn conclusions from the evidence at variance with the recorded finding of the court, he must also observe, that he is of opinion that the sentence is as objectionable as the finding, being

being (even admitting that the latter is correct) totally inadequate, considering the very serious charges of which the prisoner was found guilty.

"A spirit of cavilling," and "disrespect" to a superior, manifested by a subordinate officer, are offences against military discipline, which may be more injurious in their effects than any single act of insubordination. His Excellency therefore regrets, that any court-martial should have recorded a judgment so ill calculated as the one now before him to uphold the discipline of the army.

The Commander-in-chief observed by the evidence, that the lascars named in the latter part of the 1st charge had been most irregularly confined for several days, without any written crime being delivered in against them, in breach of the Articles of War, to which he desires the particular attention of all officers.

In consequence of a remark made by the prisoner in his defence, the Commander-in-chief is called upon to explain, that a prisoner has no legal right to claim the names of witnesses on the prosecution, though it is an indulgence customarily granted in all practicable cases; in the present instance, the list of evidence was offered to the prisoner as an indulgence; but as he refused to accept it on any other terms than as a matter of right, his Excellency considers the Deputy Judge Advocate to have been correct in withholding it.

Captain Rawlins is to be released from arrest, and to return to his duty.

#### LIEUT. LOWTHER.

*Head-Quarters, Camp, Munnee Majra, Oct. 23, 1828.*—At a general court-martial re-assembled at Ghazee-pore, on the 18th Sept. 1828, Lieut. G. G. B. Lowther, of H.M.'s 44th regt. of Foot, was arraigned on the undermentioned charges:

*Charges.*—Lieut. G. G. B. Lowther, of H.M.'s 44th Foot, placed in arrest by order of Lieut. Col. Shelton, and charged as follows:

1st. With neglect of duty prejudicial to good order and military discipline in the following instances:

1st instance. In having absented himself without leave, and without good cause, from regimental and morning parades on the 24th and 25th July 1828.

2d. In having, in disobedience of a regimental order of the 4th March 1828, neglected to report the cause of his absence from morning parade on the 24th July, until written to, on account of such absence, by the adjutant of his regiment.

3d. In having, in disobedience of a regimental order of the 10th March 1828, absented himself from his quarters on the 25th July, after having written to the ad-

jutant of his regiment that he was sick, and had reported himself to a medical officer.

2d Charge.—With conduct scandalous and degrading to the character of an officer and a gentleman, in having, on or about the afternoon or evening of the 28th June 1828, exposed himself on a public road in the cantonments of Ghazee-pore in a state of intoxication and disgraceful indecency, and otherwise behaved in a disorderly manner.

Upon which charges the court came to the following decision:

*Finding and Sentence.*—The court having maturely weighed and considered the evidence adduced in support of the prosecution, together with what the prisoner has urged in his defence, are of opinion that the prisoner, Lieut. G. G. B. Lowther, H.M.'s 44th Foot, is guilty of the whole of the 1st charge except the words "and 25th," of which they acquit him.

The court find the prisoner guilty of so much of the second charge, *viz.* "In having, on or about the afternoon or evening of the 28th June 1828, exposed himself on a public road in the cantonments of Ghazee-pore in a state of intoxication and indecency."

The court acquit the prisoner of the remainder of the charge, considering him to have been labouring under temporary mental aberration, from midday exposure in performance of his duty.

The court therefore sentence him, the said Lieut. G. G. B. Lowther, to be reprimanded in such manner as his Exc. the Commander-in-chief shall be pleased to direct.

Disapproved.

(Signed) COMBERMERE,  
General, Com.-in-chief.

Remarks by the Right Hon. the Commander-in-chief.

It has rarely occurred to the Commander-in-chief to peruse the proceedings of a court-martial where the members by their decision, have evinced so little regard to the discipline and honour of H.M.'s service, as has been manifested in the case now before him.

Lieut. Lowther has been found guilty of "exposing himself (during daylight) on a public road in a cantonment in a state of intoxication and indecency." The Commander-in-chief is at a loss to know what conduct can be considered "scandalous, and degrading to the character of an officer and a gentleman," if this is not.

The court has endeavoured to justify its finding by stating (though there was no evidence on which to ground that opinion) that it considered the prisoner was labouring under temporary mental aberration. His excellency would ask the members of this court what man, "in a state of intoxication," does not in some degree suffer under



under "mental aberration" for the time. His lordship must consider that no officer would do his duty if he allowed intoxication to be an excuse for misconduct in an European soldier under his command; he cannot, therefore, conceive that any principle more injurious to discipline can be promulgated than that "intoxication," under the name of "mental aberration," should be considered as an excuse for the misconduct of an officer, when it would not be admitted in extenuation for the misconduct of a private soldier.

His Exc. is called upon to repeat, what has been so often stated by his predecessors and himself, that if a court-martial considers there are grounds for recommending a prisoner to mercy, it is their duty to bring them under consideration, and the favourable sentiments of a court are rarely unattended to; but no circumstance can authorize a court to pass a sentence disproportioned to the crimes of which a prisoner is found guilty.

The court having failed in its duty to the service, it only remains for the Commander-in-chief, in support of the honour and discipline of the army, to bring these proceedings under the notice of his Majesty; his Exc. therefore directs that Lieut. Lowther be released from arrest, and immediately return to England, reporting his arrival to the military secretary at the Horse Guards, awaiting H.M.'s final decision.

The foregoing order is to be entered in the general order-book, and read at the head of every regiment in H.M.'s service in India.

## CIVIL APPOINTMENTS.

### Judicial Department.

Oct. 30. Mr. C. R. Tulloh, assistant to magistrate and to collector of Juanpore.

Mr. E. F. Barlow, assistant to magistrate and to collector of Bhaugulpore.

Mr. W. St. Quintin Quintin, assistant to magistrate and to collector of Sarun.

Mr. N. B. Edmonstone, assistant to joint magistrate and collector at Balasore.

Nov. 7. Mr. Arthur Lang, assistant to magistrate and to collector of Rajshahy.

Dec. 10. Mr. J. W. Templer, judge and magistrate of city of Patna.

Mr. C. C. Jackson, register of civil court, and assistant to magistrate of Jungle Mehals.

### General Department.

Oct. 23. Mr. R. Hunter, collector of land revenue and salt agent of central division of Cuttack.

Mr. W. Wilkinson, magistrate, collector of land revenue, and salt agent of southern division of Cuttack.

Mr. H. Ricketts, collector of land revenue and of customs, and salt agent of northern division of Cuttack.

### Territorial Department.

Nov. 7. Mr. G. R. Campbell, principal assistant in southern division of Behar territory.

## MILITARY APPOINTMENTS, PROMOTIONS, &c.

*Fort William*, Oct. 31, 1828.—1st L.C. Lieut. J. A. Scott to be capt. of a troop, and Cornet C. Grant to be lieut., from 24th Dec. 1828, in suc. to Bontain dec.

10th N.I. Lieut. B. Wood to be capt. of a comp., and Ena. Wm. Lindsay to be lieut., from 2d Oct. 1828, in suc. to Hildout dec.

14th N.I. Ena. T. W. Morgan to be lieut., from 19th Oct. 1828, v. Wylde dec.

Lieut. Col. M. Boyd to be a brigadier on estab., from 7th Nov., v. Col. Carpenter app. to general staff of army.

Surg. Jas. Evans to be garrison surgeon at Chunar, v. Webb dec.

Cadets of Infantry J. E. Grounds, Geo. Palmer, H. L. Bigge, P. Martin, Jas. Mac Adam, Alex. Fraser, R. Y. B. Bush, J. W. C. Chalmers, Jos. Towgood, Geo. Pott, and Robert Spencer, admitted on establishment, and prom. to ensigns.

Cadets of Engineers R. S. Master and J. W. Robertson admitted on establishment, and prom. to 3d lieuts.

Major Wm. Battine, of artillery, to be a member of Special Prize Committee, constituted in G. O. 9th Feb. 1827, for investigation of claims of officers and others to private property captured at Bhurtpore.

*Head-Quarters*, Oct. 8, 1828.—Lieut. and Adj. J. Hewitt to officiate as interp. and qu. mast. to 52d N.I., in room of Lieut. McBean dec.; date 4th June, 1828.

Oct. 10.—Medical Department. Surg. W. Leslie app. to 71st N.I. from 1st Nov.—Surg. H. F. Hough removed from 71st to 51st N.I.—Assist. Surg. W. R. McL. Rose app. to 11th N.I.—Assist. Surg. T. Drever removed from 11th to 32d N.I.—Assist. Surg. W. Spencer app. to 45th N.I.—Surg. W. Findon app. to 20th N.I.

Ens. L. Ross removed from 34th, and app. to 68th N.I.

*Fort William*, Nov. 2.—Capt. E. J. Gowan, regt. of artillery, to be assist. secretary to Military Board in ordnance department, v. Gilphand dec.

Lieut. R. G. Roberts, deputy commissary, to be commissary, and Capt. Thos. D'Oyly, regt. of artillery, to be deputy commissary of ordnance, in suc. to Gowan.

Capt. Gilbert Watson, 41st N.I., to have temporary charge of Purneah Prov. Bat. during absence of Lieut. Col. Shadwell.

The order dated 8th Aug. 1828, removing Lieut. J. T. Boleau, of engineers, from 10th, or Agra division, to Kumsan district, and Capt. E. Sweetenham, of engineers, from latter to former division of public works, rescinded.

Surg. Jas. Watson appointed to medical duties of civil station of Bareilly, v. Knight dec.

Surg. Wm. Watson to be garrison surgeon at Allahabad, v. Jas. Watson.

*Head-Quarters*, Oct. 11.—Lieut. Z. H. Turton, to act as adj. to left wing of 15th N.I. during its separation from head-quarters of regt.; date 28th Sept. 1828.

Lieut. W. Shortreed to act as interp. and qu. mast. to 2d Europ. regt. during absence of Lieut. Interp. and Qu. Mast. Ripley; date 1st Oct. 1828.

Capt. J. Rawlins, of artillery, directed to do duty with 4th comp. 1st bat. at Kumsan.

Lieut. J. Trower removed from 2d to 4th sq. 1st Brigade Horse Artillery.

Lieut. J. Anderson, of artillery ( lately prom.), app. to 2d tr. 1st brig. Horse Artillery.

Ens. H. C. Baddely removed from 50th, and app. to do duty with 1st N.I. at Muttra.

Lieut. T. F. Fleming to officiate as interp. and qu. mast. to 36th N.I. during absence of Lieut. Lloyd; date 1st Oct. 1828.

Brigadier J. McCombe directed to proceed to Meerut and to assume command of that station, in room of Brig. Murray, who has obtained leave of absence.

Capt.

Capt. J. Luard, H.M.'s 16th Lancers, doing duty with convalescent depot at Landour, relieved from that duty.

*Fort William, Nov. 14.*—Mr. W. F. Cumming admitted on establishment as an assist. surgeon.

Asst. Surg. R. Laughton, attached to civil station at Beerbhoom, at his own request placed at disposal of Com.-in-chief.

*Artillery.* 1st-Lieut. J. D. Crommelin to be capt. by brevet from 19th Nov. 1828.

Cadet of Engineers R. Napier admitted on establishment, and prom. to 2d-Lieut.

Cadets of Infantry R. W. C. Doolan and C. E. Steel admitted on establishment, and prom. to ensigns.

The appointment of Lieut. Col. J. Auriol, of inv. estab., in G. O. 24th Oct. to command of Agra Prov. Bat., cancelled at request of that officer.

*Head-Quarters, Oct. 26.*—1-Lieut. J. Macdonald to act as adj. to left wing of 61st N.I. during its separation from head-quarters of corps; date 2d Oct. 1828.

Lieut. J. Dade to act as adj. to five companies of 56th N.I. during their separation from head-quarters of regt.; date 9th Oct. 1828.

*Medical Department.* Superintend. Surg. J. Swiney app. to Cawnpore.—Superintend. Surg. C. Campbell, when relieved by Dr. Swiney, directed to proceed to Saugor, to which he is appointed.—Superintend. Surg. G. Skipton (on leave to sea) removed from Saugor to Berhampore.—Surg. W. Thomas app. to act as superintend. surg. during Mr. Skipton's absence, and directed to proceed to Berhampore.—Surg. D. Woodburn to officiate as superintend. surg. from 23d Sept. until arrival of Mr. Thomas.—Surg. E. Clarkson (new prom.) posted to 47th N.I.—Surg. A. Wardrop (new prom.) posted to 44th N.I.—Surg. G. Govan app. to 17th N.I.—Surg. J. A. Watson posted to 35th N.I.—Surg. F. Corbyn posted to 38th N.I. at Barrackpore.—Surg. T. C. Brown app. to 74th N.I. at Chittagong.—Assist. Surg. T. Clemishaw removed from 74th to 52d N.I.—Assist. Surg. Christie app. to 65th N.I.—Assist. Surg. W. Gordon directed to do duty under surgeon of two European regiments at Agra.

Lieut. Col. F. H. Dawkins, to be an assistant military secretary to Com.-in-chief, and to have charge of his Excellency's office during absence of Lieut. Col. Finch, on duty, from camp.

Lieut. Col. J. Truscott, removed from 45th to 46th N.I., and Lieut. Col. R. W. Baldoock from 46th to 45th ditto.

Capt. A. F. Richmond, 33d N.I., to officiate as deputy judge adv. gen. to Rajpootana and Meywar field forces during absence of Lieut. Cornish; date 15th Oct. 1828.

Lieut. A. Grant to act as adj. to left wing of 30th N.I. during its separation from head-quarters of corps; date 10th Oct. 1828.

Lieut. E. Madden to act as adj. to Saugor div. of artillery during absence of Lieut. Watts; date 16th Oct. 1828.

*Oct. 22.*—Lieut. R. Ramsay to act as adj. to left wing of 10th N.I. during its separation from head-quarters of regt.; date 4th Oct. 1828.

Lieut. H. P. Burn, 1st N.I., acting adj. to Agra Prov. Bat., at his own request, permitted to join regiment to which he stands appointed.

*Ensigns appointed to do duty.* F. W. Mundy, with 13th N.I., at Dinapore; C. F. Trower, 59th do., at Barrackpore.

*Removals and Postings in Regt. of Artillery.* Capt. G. G. Dennis from 2d comp. 4th bat. to 2d comp. 2d bat., v. Oliphant dec.; Capt. F. S. Sotheby, from 3d comp. 4th bat. to 2d comp. 4th bat., v. Dennis; Capt. T. D'Oyly (new prom.) to 3d comp. 4th bat., v. Sotheby; 1st-Lieut. G. Maclean, from 44th tr. 1st brigade of Artillery to 3d tr. 2d brigade; 1st-Lieut. A. Abbott, from 2d comp. 1st bat. to 2d comp. 2d bat.; 2d-Lieut. G. G. Channer (new arrival) to 1st comp. 2d bat.; 2d-Lieut. G. L. Cooper (new arrival) to 1st comp. 1st bat.; 2d-Lieut. L. Smith (new arrival) to 4th comp. 2d bat.; 2d-Lieuts. Channer, Cooper, and Smith to continue to do duty at Durn Drum until further orders.

*Fort William, Nov. 14.*—Lieut. Col. the Hon. J. Finch, H.M.'s service, to be a member of Special Prize Committee, constituted in G. O. 9th Feb. 1827, for investigation of claims of officers and others to prize property captured at Bhurtpore.

*Nov. 22.*—Col. W. Stewart, H.M.'s 3d Foot (or Buffs), app. a brigadier on estab. for station of Cawnpore, v. Brig. Sleigh app. to Meerut.

Lieut. Col. Ebrington, H.M.'s 47th Foot, app. brigadier on estab. for station of Berhampore, v. McCombe dec.

10th N.I. Lieut. W. M. N. Sturt to be capt. of a comp., and Ens. R. G. Grange to be lieut., from 5th Nov. 1828, in suc. to Spillows dec.

Cadet of Infantry H. V. Stephen admitted on establishment, and prom. to ensign.

Mr. John Macrae admitted on establishment as an assist. surgeon.

Lieut. E. R. Spillsbury, 37th N.I., permitted, at his own request, to resign service of Hon. Company.

Capt. Sir R. Colquhoun, Bart., transf. from command of Kumaoon Local Bat. to that of Calcutta Native Militia, v. Costley.

Lieut. H. Hoyd, 15th N.I., to be adj. of Calcutta Native Militia, v. Hickey.

Assist. Surg. J. R. Martin to officiate as garrison surgeon of Fort William, v. Grierson embarked for Europe.

Capt. R. Ross, 18th N.I., to have temporary charge of Agra Prov. Bat.

Assist. Surg. A. V. Dunlop to perform medical duties of civil station of Jessore during absence of Assist. Surg. Francis.

Assist. Surg. W. Twining to officiate as 1st assist. to presidency general hospital, and to have medical charge of prisoners in Calcutta gaol; Assist. Surg. W. W. Hewett to officiate as 2d assist.; and Assist. Surg. E. W. W. Raleigh as 3d assist. to presidency general hospital until further orders, v. Martin app. to officiate as gar. surg. of Fort William.

Major Taylor, of engineers, directed to relieve Lieut. Col. T. Wood from current executive duties of engineers' department in garrison of Fort William.

*Head-Quarters, Oct. 31.*—Cornet A. Tucker, 9th L.C., and Lieut. T. Dalryell, 42d N.I., declared, by a station committee of examination, to be fully qualified for discharge of duties of interpreter in a native corps.

14th N.I. Lieut. P. Inness to be adj., v. Wyldo dec.

6th N.I. Lieut. J. T. Gordon, 15th N.I., to act as interp. and qu. mast.

Lieut. W. H. C. Bluett to officiate as interp. and qu. mast. to 45th N.I. on Lieut. Biddulph's quitting that corps on leave of absence.

Ens. A. Gillanders (unposted) directed to do duty with 24th N.I.

*Nov. 3.*—Capt. J. T. Croft, 34th N.I., to officiate as dep. judge adv. gen. to Saugor div. during absence of Capt. Weston; date 1st Oct. 1828.

Lieut. H. Moore, 34th N.I., to act as adj. to 3d Local Horse during absence of Lieut. Meade; date 20th Oct. 1828.

Lieut. W. Clifford to officiate as adj. to 30th N.I. during absence of Lieut. Palmer; date 11th Oct. 1828.

Ens. R. T. Sandeman, at his own request, removed from 15th, and posted to 33d N.I.

*Nov. 4.*—Removals of Ensigns. J. K. Spence, from 28th to 30th N.I.; T. F. H. Remberton, from 22d to 62d do.; J. French, from 57th to 14th do.

*Ensigns posted to Regiments.* T. S. Jervis, to 71st N.I., Bhopalspore; Thos. James, 21st do., Nussersabad; John Coke, 40th do., Barrackpore; T. A. K. MacGregor, 9d Eur. Regt., Agra; G. A. Nicholson, 88th N.I., Allahabad; H. A. Cumberlege, 43d do., Benares; C. R. Vickers, 52d do., Pertaubghur (Oude); C. G. Walsh, 14th do., Delhi; H. C. Baddeley, 61st do., Shahjehpore; A. B. Morris, 20th do., Keitah; Thos. Simpson, 57th do., Agra; John Miller, 59th do., Nussersabad; J. J. Kinlock, 27th do., Benares; J. C. Dongan, 19th do., Bareilly; G. E. Grant, 62d do., Secapore;

Seetapore; H. M. Nation, 23d do., Loodianah; R. Mathison, 6th do., Agra; Wm. Richardson, 73d do., Jubbulpore; D. Hadden, 55th do., Benares; F. Rainford, 67th do., Dinapore; John Clarke, 69th do., Neemuch; R. M. Gurnell, 1st Eur. Regt., Agra; H. Russel, 20th regt. N.I., Kelah; J. Hennessy, 34th do., Saugor; L. R. Keane, 32d do., Meerut; W. G. Don, 43d do., Benares; R. McEam, 17th do., Delhi; John Erskine, 40th do., Mynpoorie; J. R. Abbott, 12th do., Nusseerabad; O. Vincent, 29th do., Meerut; A. Q. Hopper, 67th do., Agra; H. M. Barwell, 45th do., Baitool; G. H. Whistler, 8th do., Bandah; H. Hinchman, 65th do., Cuttack; Isaac Jones, 58th do., Almorah; A. F. C. Deas, 5th do., Delhi; J. S. Knox, 42d do., Neemuch; Rowley Hill, 4th do., Kanpore (Oude); J. F. Mortlock, 24th do., Chabare; Jas. Hunter, 53d do., Barrackpore; W. C. P. Collison, 37th do., Kurnaul; W. P. Hampton, 30th do., Mirzapore; W. T. Pocklington, 38th do., Barrackpore; J. H. Ferris, 7th do., Midnapore; F. Beaven, 56th do., Lucknow; A. Gillanders, 54th do., Jumnalpoore; G. Pengree, 39th do., Gurrawarrah; J. R. Barnes, 58th do., Almorah; A. M. Wyllie, 11th do., Barrackpore; W. H. Ross, 31st do., Secroa; W. W. Davidson, 18th do., Agra; H. Carter, 35th do., Barrackpore; R. Munro, 10th do., Kurnaul; C. Hagart, 52d do., Pertaughur (Oude).

9th L.C. Cornet A. Tucker to be interp. and qu. mast.

42d N.I. Lieut. T. Dalryell to be interp. and qu. mast.

Lieut. E. A. Munro, 39th N.I., to officiate as cantonment adj. at Hussainabad during absence of Lieut. Clifford; date 22d Oct. 1828.

Nov. 5.—Brigadier J. W. Sleight appointed to Meerut in consequence of decease of Brigadier MacCombe.

*Ensigns appointed to do duty with Corps.* W. C. Erskine, with 46th N.I., at Muttra; W. Loveday, 37th do., Kurnaul; R. Lowry, 70th do., Futtehgur; G. Biddulph, 70th do., Futtehgur; T. H. S. Macleod, 51st do., Cawnpore; C. Hagart, 27th do., Benares; R. Munro, 27th do., Benares; C. H. Wake, 51st do., Cawnpore; W. J. Parker, 51st do., Cawnpore; F. C. T. Hayward, 43d do., Benares; F. R. Davidson, 49th do., Lucknow; C. Davidson, 49th do., Lucknow; J. Philo't, 23d do., Loodianah; J. Shaw, 5th do., Delhi; H. Kewney, 4th do., Allahabad; W. Tellemache, 51st do., Cawnpore; G. Cruickshank, 13th do., Dinapore; J. Macdonald, 13th do., Dinapore; J. Sandman, 49th do., Allahabad.

*Fort William, Nov. 29.—37th N.I. Ens. E. R. Lyons to be Lieut., from 22d Nov., v. Spillsbury resigned.*

Cadets of Engineers J. W. Fraser and John Glasford admitted on establishment, and prom. to 2d lieuts.

Cadets of Infantry T. F. Patterson, J. C. Innes, E. S. Capel, W. B. Legard, A. C. Rainey, Jas. Flyter, P. R. Ramsay, Jas. Gifford, C. Carlyon, and R. Grange admitted on establishment, and prom. to ensigns.

Mr. Chas. Griffiths admitted on establishment as an assist. surgeon.

Mr. Geo. Griffith admitted on establishment as a veterinary surgeon.

*Head-Quarters, Nov. 7.*—Assist. Surg. B. Bell app. to do duty with 65th N.I. at Barrackpore.

Lieut. Col. H. T. Roberts (new prom.) posted to 2d L.C.

Lieut. Col. T. H. Paul (new prom.) posted to 4th N.I.

Lieut. Col. C. Bowyer removed from 20th to 3d N.I.

*Medical Department.* Surg. A. Ross (new prom.) posted to 17th N.I.—Surg. W. Duff (new prom.) posted to 19th N.I.—Surg. W. Jackson removed from 16th to 30th N.I.—Assist. Surg. A. Wilson app. to 71st N.I.

Nov. 8.—Brigadier Gen. G. Carpenter posted to Benares division of army.

Lieut. Col. H. Wrottesley, inv. estab., posted to 1st bat. Nat. Inv. at Allahabad.

*Medical Department.* Assist. Surg. J. Barber removed from Hill Rangers to 7th N.I.—Assist. Surg. J. O'Dwyer removed from Rungpore Light

Inf. to Hill Rangers.—Assist. Surg. D. A. Macleod posted to Rungpore Light Inf.

Nov. 10.—Assist. Surg. F. Fleming app. to do duty with 28th N.I.; date 24th Oct. 1828.

Lieut. A. Spens to act as adj. to left wing of 74th N.I.; date 23d Oct. 1828.

Lieut. E. Darvell to officiate as interp. and qu. mast. to 57th N.I.; date 27th Oct. 1828.

Assist. Surg. D. J. Thornburn directed to place himself under orders of superintend. surgeon at Saugor.

Nov. 12.—Lieut. C. A. Arding to officiate as adj. to 58th N.I. during absence of Lieut. and Adj. Lumsdane; date 1st Nov. 1828.

Assist. Surg. M. Lovell app. to convalescent depot at Landour.

Nov. 14.—Brigadier W. Richards app. to Agra and Muttra frontier, and Brigadier M. Boyd to command of Delhi.

33d N.I. Ens. R. T. Sandeman to be interp. and qu. mast.

Nov. 17.—10th N.I. Lieut. J. Welshman to be adj., v. Wood prom.

*Fort William, Dec. 3.*—Assist. Surg. G. Craigie, attached to civil station of Hooghly, placed at disposal of Com.-in-chief.

1st N.I. Lieut. H. C. McKenly to be capt. by brevet, from 2d Dec. 1828.

Dec. 8.—Capt. C. Corbett, 25th N.I., app. to command of Kumaon Local Bat., v. Colquhoun.

Capt. G. Watson, 41st N.I., to be a sub-assist. in H.C.'s stud establishment, v. Corbett.

Assist. Surg. J. A. Lawrie, app. to medical duties of civil station at Mooradabad, v. Bell.

Assist. Surg. G. J. Berwick app. to temporary charge of medical duties of civil station of Beerbhoom.

*Head-Quarters, Nov. 18.*—Lieut. H. Cumling, 10th N.I., to act as adj. to Agra Prov. Bat., v. Burn permitted to rejoin his regiment; date 9th Nov. 1828.

Lieut. S. B. Hare to act as adj. to sappers and miners during absence of Capt. de Bude; date 7th Nov. 1828.

Cornet W. B. Mosley, proceeding to join 9th L.C., app. to do duty with 4th L.C. at Meerut.

Ens. J. T. Bush app. to do duty with 24th N.I., at Cawnpore.

Nov. 19.—Assist. Surg. A. Colquhoun app. to join and do duty with 28th N.I., and Assist. Surg. M. Grlerson with 65th do.; date 3d Nov. 1828.

Lieut. Col. Com. G. R. Penny, 11th N.I., to assume command of troops at Barrackpore on departure of Brigadier O'Halloran.

1st Nusseer Bat. Capt. J. Nicolson, 4th N.I., to be 2d in command, in room of Speck resigned.

*Medical Department.* Surg. J. Marshall removed from 32d to 63d N.I.—Assist. Surg. Adam Murray app. to 68th N.I.—Assist. Surg. E. J. Yeatman directed to continue in medical charge of left wing of 30th N.I. until arrival of right wing of regiment at Allyghur.—Assist. Surg. J. F. Stewart app. to 41st N.I.

Ens. J. R. Pond directed to do duty with 51st N.I. at Cawnpore.

Veterinary Surg. I. Bicknell posted to 5th L.C. at Muttra.

Lieut. J. Powell app. to officiate as adj. to left wing of 28th N.I. during its separation from head-quarters of that corps.

Nov. 20.—Lieut. N. A. Parker, 58th N.I., to act as adj. to left wing of that regiment during its separation from head-quarters of that corps; date 14th Nov. 1828.

1st Lieuts. of Engineers J. W. Robertson and R. S. Masters appointed to do duty with sappers and miners at Allyghur.

*Ensigns appointed to do duty.* J. E. Mac, with 58th N.I., at Almorah; A. A. Start, 1st do., at Muttra; C. S. Bremner, 12th do., Dinapore; J. Morris, 13th do., Dinapore; J. T. Bush, 24th do., Cawnpore; R. D. Kay, 2d do., Barrackpore; W. Bridge, 33d do., Cawnpore; J. C. Thompson, 33d do., Cawnpore; J. C. Thompson, 33d do., Cawnpore; H. Watson, 13th do., Dinapore.

Burnett, 54th do., J. Grant, 27th do., Benares; R. S. Simpson, 55th do., Benares; H. A. Reid, 55th do., Benares; G. Palmer, 33d do., Cawnpore; H. L. Bigge, 33d do., Cawnpore; J. E. Grounds, 7th do., Berhampore; P. Martin, 47th do., Barrackpore; J. Macadam, 7th do., Berhampore; A. Fraser, 45th do., Baltool; J. Towgood, 33d do., Cawnpore; J. W. C. Chalmers, 33d do., Cawnpore; G. Pott, 13th do., Dinapore; R. Y. B. Bush, 1st do., Muttra; R. Spencer, 13th do., Dinapore.

Assist. Surg. J. McRae app. to medical charge of detachment composed of above officers as far as Cawnpore.

Nov. 21.—Lieut. Col. T. Gough removed from 55th to 10th N.I., and Lieut. C. W. Brooke from 10th to 55th do.

Lieut. C. Prior to act as adj. to 64th N.I. on departure of Lieut. and adj. Wilson; date 12th Nov. 1828.

Ena. John Hennessy removed from 34th to 20th N.I.

*Returned to duty, from Europe.*—Capt. John Broadhurst, regt. of artillery, Capt. Hope Dick, 56th N.I.—Lieut. J. H. Rice, 44th N.I.—Lieut. John Knyvett, 66th N.I.—Surg. John Marshall.—Capt. R. Ross, 18th N.I.—Maj. W. H. L. Frith, regt. of artillery.—Lieut. Edw. Jackson, 68th N.I.—Lieut. A. J. Anstruther, 54th N.I.—Lieut. and Brev. Capt. J. S. Kirby, regt. of artillery.—Lieut. J. L. Revell, 7th N.I.—Lieut. Col. G. P. Baker, 2d Europ. Regt.—Lieut. B. Boswell, 2d N.I.—1st Lieut. Giles Emly, regt. of artillery.

#### HIS MAJESTY'S FORCES.

*Head-Quarters, Oct. 10, 1828.*—Lieut. G. Mackenzie, 2d F., to be capt. by brevet in East-Indies only, from 22d Jan. 1828.—Lieut. W. H. Barker, 13th F., to be ditto ditto, from 29th July 1828.—Lieut. W. G. Wiles, 31st F., to be ditto ditto, from 9th Sept. 1828.

Oct. 25.—Lieut. J. Wootton, 44th F., to be capt. by brevet in East-Indies only, from 7th Oct. 1828.—Lieut. J. Henderson, 54th F., to be ditto ditto, from 3d Feb. 1828.

#### FURLOUGHS.

*To Europe.*—Oct. 31. Lieut. Col. Thos. Shurbuck, 1st L.C., for health.—Capt. J. M. Heptinstall, 31st N.I., for health.—Lieut. Jas. George, 19th N.I., for health.—Maj. S. Swinhoe, 28th N.I., on private affairs.—Lieut. Col. Com. Sir Thos. Ramsay, 43d N.I., on private affairs.—Capt. S. Coulthard, regt. of artillery, on private affairs.—Maj. H. L. White, 36th N.I., for health.—Ena. T. C. Barrett, 65th N.I., for health.—Surg. R. Williams, superintend. surg. at Nusserabad, on private affairs (to embark at Bombay).—10. Lieut. Thos. Hutton, 37th N.I., for health.—14. Lieut. Col. Com. Wm. Brookes, of infantry, on private affairs.—Capt. D. Dowle, 2d N.I., on private affairs.—Capt. S. Maltby, 3d N.I., on private affairs.—Maj. Gen. S. Dick, of infantry, on private affairs.—Surg. Chas. Ray, for health.—29. Lieut. H. Lloyd, 36th N.I., for health.—Lieut. J. H. Phillips, 43d N.I., for health.—Lieut. Col. Com. H. Hodgson, 51st N.I., on private affairs.—Capt. H. C. Barnard, 51st N.I., on private affairs.—Dec. 1. Lieut. G. H. Swinley, regt. of artillery, for health.—3. Surg. Jas. Atkinson, on private affairs.—Lieut. W. D. Littlejohn, 71st N.I., for health.

*To Madras.*—Nov. 8. Lieut. R. H. De Montmorency, 65th N.I., for six months, on private affairs.

*To Singapore.*—Assist. Surg. J. O'Dwyer, for six months, for health.

#### HIS MAJESTY'S FORCES.

*To Europe.*—Oct. 10. Lieut. Douglas, 44th F., for health.—20. Lieut. Furlong, 20th F., for health.—22. Surg. Gordon, 3d Europ. Regt., for health.—Lieut. Kingbury, 2d Europ. Regt., for health.—Nov. 3. Lieut. Bony, 44th F., for purpose of retiring on half-pay.—7. Lieut. Temple, 1st F., for health.—13. Lieut. [unclear], 2d F., on private affairs.—Assist. Surg. [unclear], 44th F., for health.—18. Capt. [unclear], 2d Europ. Regt., for health.—Lieut. Knox, 2d Europ. Regt., for health.—Capt. Oakley, 20th

F., for purpose of taking charge of regimental depot.

*To the Mauritius.*—Oct. 20. Assist. Surg. Seivwright, 11th L.D., for nine months, for health.

#### LAW.

SUPREME COURT, November 3.

*The Advocate-general v. Young and others.*—Mr. Minchin moved in this case to make the rule *nisi*, obtained on the 24th ult. (see p. 472), absolute.

The Advocate-general opposed the motion; but as it was a rule to shew *cause* why judgment should not be entered up with costs for the defendants, or why the costs granted in a former motion should not be refunded, he should not trouble the court on the second point; but as to the first, he thought it was of a most whimsical nature: for it was not to be supposed because the Company had not succeeded in two cases, that they were always to be unsuccessful. The Company were not, in cases similar to the present, to give or receive costs more than the Attorney-general in similar cases in England. He allowed that under the charter the judges of the Supreme Court could award costs in actions brought by the Company against individuals, but that had no reference to a criminal information, and costs were given by statute law, and could not be demanded by the common law. In England the Attorney-general could file criminal informations, and if he failed he was not compelled to pay costs: the present information was filed in the same way, under power conveyed to the Advocate-general by the charter. On the second point, he fully agreed that the Company were not entitled to receive costs on the motion, as they are not to be made to pay them if they should fail.

Mr. Minchin admitted, that he could find no authority by which the Attorney-general could be compelled to pay costs; but he contended that the 53d of the King did not give such power to the Advocate-general of the Company. The present was similar to an information in England brought by an informer, who paid costs if he failed; and the Advocate-general was, under the statute, in the place of the common informer, and must pay costs also. No costs were paid by the Crown because it was a branch of its prerogative—no such prerogative had been granted to the United Company; if it were, then they could file informations like the present against whom they pleased, and in case they failed, they could refuse to pay the costs. The Kings of England had exercised their prerogative with mildness; but the Company were a fluctuating body, to whom it might be dangerous to grant such power. The case depended on the interpretation put on the word "proceedings;" the opposite side had filed the information, and

process of a similar nature and description as in England had issued against the defendants; that he understood as the "proceedings;" but it was quite different from the question of costs.

The *Chief Justice* said, that on the first point he had no doubt. A judgment could not be entered up for the defendants with costs in England, and that was a "proceeding," and could not therefore be done here under the words of the statute. On the second point, he thought that the Advocate-general should not receive costs; but at the same time he was of opinion, that where an unnecessary motion was made, the court had the power of imposing the penalty of ordering the payment of costs; but on this it was unnecessary to enter.

*Sir John Franks* was of the same opinion.

*Sir Edward Ryan* said, that on the first point he was perfectly satisfied that costs should neither be given or received; as to the second, he thought either party would be entitled to costs where unnecessary motions were made.

*Mr. Minchin* then said, he owed it to his friend, the Advocate-general, to say, the costs given by the court on the motion had never been demanded.

November 5.

*Lolloo Baboo v. The United Company.*

—This was an action brought by Lolloo Baboo against the Hon. Company for the purpose of recovering Sa.Rs. 11,650, the amount of half notes despatched by letter through the General Post-office of Calcutta on the 30th and 31st of March, and 1st and 2d of April 1827, but which, with the exception of the letter of the 30th March, and the half-notes contained therein, never reached the plaintiff at Patna, to whom they were sent by his gomastah in Calcutta.

*Mr. Compton* contended that the plaintiff was entitled at common law to recover from the Company the amount of his money as against common carriers, if he could shew the delivery of the letters at the post-office, that those letters contained money to the amount stated in the allegations, and that the money or letters were never delivered at Patna. There was at present but one post-office in Calcutta, and the public had no other means of forwarding their parcels. In England there were many, and persons were not bound to one particular conveyance; and he thought it would be very hard, when parcels or letters were taken, and the demand for carriage paid, that the persons receiving them should not be accountable for their delivery. He would endeavour to shew that the United Company have established a post-office for the carriage of letters, and for which they receive a certain hire and reward; that such office has not been es-

tablished by any thing like a proper regulation of Government; that it is under the control of the Company, the Governor-general and Council, as agents of the Company, having the power of appointing the postmaster-general, and of regulating the rates of postage themselves, so that the public had no control over their actions except through the Supreme Court; that the postmaster and other officers of the establishment were paid by the Company, whether out of the profits of the post-office or not was immaterial; if even all the profits went to the Company, they would be but in the situation of carriers, for it could not be received by them as sovereigns of the country by way of revenue.

*Chief Justice*.—"Where would the profits go if there were a surplus in that department?"

*Mr. Compton*.—"To the Company, my Lord."

*Chief Justice*.—"It might then be part of the revenue."

*Mr. Compton*.—"No, my Lord; with submission, I should suppose, that to make it a tax, or a part of the revenue, it should be raised in a similar way to the stamp tax, by regulation and by registry in this court."

The *Chief Justice* was of opinion that it would be necessary, to support the averment, to shew that the profits of the post-office accrued to the defendants in their capacity as a trading body, and not as the Government of the country.

*Mr. Compton* thought not; it was for the opposite side to shew that the money received was revenue. He would prove that at present there was a fixed rate of postage, and if the public refused to pay it, let its amount be what it might, their letters would not be forwarded; that if an individual refused to pay the sum demanded for a letter, no other letters would be delivered to him till he chose to pay for the first; and that the rates of postage were regulated by those who had the management of the post-office, so there was no check which the public could have on their demands. In England the postage was regulated by Act of Parliament, it was part of the revenue, and the office of postmaster-general was filled by letters patent; here the post-office was established by the Company, without any Act of Parliament or proper regulation; it is merely an office established by the Company for the public convenience; and unless it can be shewn that by some power granted to them by Act of Parliament they have the means of screening themselves, or unless it can be shewn that similar to the post-office in England, they are to all intents liable.

*Chief Justice*.—"If you can shew that this is an office established by a statute—"

tile body, they will be in the same situation as carriers."

*Mr. Compton.*—"I think, my Lord, it is for my friends on the opposite side to prove the reverse."

*Sir E. Ryan.*—"If you bring an action against a public carrier, you must shew a contract either expressed or implied."

*Mr. Compton.*—"He who undertakes a trust for the public benefit, undertakes a trust out of which arises the liability. If I shew the officers are appointed by the Company, and that they charge a certain sum from the public as hire and reward, then the public are remediless except through this court, for they cannot know what particular persons connected with the office to bring an action against for the losses they may have sustained. In the post-office here, the servants are the servants of the Company; in England they are under the superintendence of the Crown; if money is abstracted from a letter it is a capital offence; the strongest protection the law can afford is thrown round the persons forwarding his property; and if such rules were adopted here, perhaps such a cause as is the subject of the present action would never have arisen." He contended, that even supposing that the postage could be shown to be part of the revenue of the country, yet it was a revenue in which the public had no interest."

*Chief Justice.*—"I am always particularly anxious to avoid questions of a political nature or connected with the political government, but here I do not see how it is to be avoided. If you shew that they, as a commercial body, establish an office for the conveyance of letters, they are carriers, and you may sue them as such; but in the counts you do not say that the office is regulated by the Company, but by the Government."

*Mr. Compton.*—"I use the word 'Government' there, taking them as agents of the Company."

*Chief Justice.*—"The Government might establish a post-office not as agents to a company of merchants."

*Mr. Compton.*—"But if I shew that they, for a reward, undertake to deliver letters, and that the postmaster-general, who must be one of the Company's civil servants, is appointed by the Government, then I come at once to the Company; and, unless they have authority by Act of Parliament, or from the Board of Control, they are carriers; and if they are a private post-office, they are still liable, and would be but in the same situation as such were prior to the 19th Ch. II. The Company are liable unless there is some Act of Parliament or regulation which exempted them from the liability. They were liable at common law; and if there did exist an

exemption, it was for them to shew that they came without it." He then stated the facts of the case, which were shortly these:

Laloo Baboo, the plaintiff, was a banker at Patna; he had also a cooty in Calcutta. On the 30th of March last, five half notes, to the amount of 4,500 sicca rupees, were despatched by his gomastah here in a letter to him, which letter he received. On the 31st the other halves and ten halves of other notes were also sent. On the 1st of April the remaining halves of the notes sent the day previous were despatched, and other halves for 3,150 sicca rupees, and on the 2d of April the last halves were sent. On the 3d the gomastah here wrote to his employer, stating that he had sent him by such days' dawka a sum of money, forwarding at the same time an account; to this letter an answer was received, stating that his communication of the 30th of March had been received, but none of the other letters had reached the Patna post-office. The gomastah in Calcutta then applied to the postmaster here, and was informed that the letters had been despatched. On inquiry being subsequently made at the bank, it appeared that the notes had been presented and paid there on the 2d and 3d of April; so a strong presumption, said Mr. Compton, arises, that the money must have been taken after they were put into the post-office, as the letters, though received there, had never reached Patna.

The evidence occupied this and the succeeding day. On the 7th a verdict, by consent of counsel, was entered for the defendants, with liberty for the plaintiff to move to have it set aside and a verdict entered in his favour for the sum of 7,150 sicca rupees.

*Chief Justice.*—"Though this matter is for the present set at rest, and though the question is to be brought forward again and fully argued before the court, I think it necessary to state what points in my opinion have been proved, and what have not. I do so for two reasons: first, that counsel may know what points I am reconciled upon, and I do so for another reason.

"The court here is peculiarly situated; the judges are placed in a highly responsible situation; and the truth is, I do not conceive that all the parties interested are at present before the court. I have certainly the Company's Advocate before me; but there are other parties who do not require me for their advocate, yet to whom I am accountable; I am responsible to the Government, the Company, and the British nation, and it is for this reason I wish to avoid misconception, and now to state what I conceive is proved, and what not.

"In this case the action is brought against

against the defendants for neglect; and if the plaintiff could shew that the post-office was established by the defendants in their mercantile capacity, and that the funds are carried to their mercantile accounts, in fact, that it is part of their trade, I am not prepared to say that they would not be liable, and that an action might not be brought against them, though a question might be raised as to what actions may be brought against corporations. I am aware that actions can be sustained against them for trespass and assault, and I am not prepared to say, under the circumstances I have mentioned, that they would not here be liable. In the present case, the Company are sued for neglect as common carriers; and I say it without the least intention of offence to counsel, that it would have been proper before the action was brought, to see if it could be sustained. Whether the post-office is a Government establishment, or part of the Company's trade, could have been easily ascertained. I know," said his Lordship, "that since 1793 it has been carried to the revenue of the country; and that could have been seen, as the Company, in the accounts which they are obliged to lay before Parliament, must distinguish between their mercantile profits and their revenue, though the Parliament does not inquire into the mercantile accounts. No person could have read the acts of Parliament on which the charter of 1813 is founded, and the reports on those Acts, without knowing that the profits of the post-office were carried to the same accounts as the salt and opium monopolies; and then if it is so notorious, counsel should have made the necessary inquiries before they prosecuted the Company as common carriers."

His Lordship said he was satisfied that the letters and money had been traced to the post-office, and delivered there; that the post-office was established for the conveyance of letters by the Government, and that it is regulated and conducted by a civil servant; that it is no part of the Company's mercantile transactions, but goes to the revenue of the country.

"The question then is, whether, by Act of Parliament, the Government are liable for the neglect of their servants. There can be no doubt that the Company act in a political as well as a commercial capacity; and I am of opinion that, in law, they are not." "I say," said his Lordship, "that the Company have not the entire government. The Act of Parliament, which gives them power, says they are vested with supreme government subject to certain restrictions. The Governor-general is recommended by the Crown and appointed by the Company; the commander-in-chief is appointed by the King; and the Governor-general and second member of council are a majority of the govern-

ment. The Board of Control is appointed to look over the government of India; then I say the Company have not the entire control, and I therefore think it would be hard to hold them accountable for their servants, and I do not think such could have been the intention of the Legislature, from the monstrous consequences that must follow. If the Company were liable for their post-office servants, they would be liable for their dawk bhanghy servants; accidents must happen in travelling, and has it ever been said, that in consequence of such an accident, an action could be brought against a corporation? It is part of the duty of Government to hold courts up the country, and if that should be neglected, and an individual was to lose by it, could an action be brought against the Company?"

His Lordship instanced other cases of a similar nature, and concluded by saying, "I do not think this action can be sustained; there are no grounds on which it can stand; and I would not have it rumoured for perhaps a month, till the further argument can be heard, that I thought for a moment that there were."

*Sir Edward Ryan.*—"In this case, a verdict has been entered for the defendants, with liberty to the plaintiff to move to have it set aside; I therefore will refrain from giving any opinion till I have had the benefit of further information on this important question. I shall give no opinion on the law for two reasons; first, till I have had the benefit of the argument of the counsel on both sides, for I will not presume to say that the talent and research of those gentlemen may not be able to bring the question to a just conclusion; and secondly, because the bench is not at present full, and I hope to have the benefit of another opinion on a future occasion. I think," said his Lordship, "the facts have been clearly made out, and that the only question now remaining is one of naked law, 'whether or not the United Company are liable for the negligence of their servants;' in no less limited a sense than this do I think it can be taken."

November 11.

*The Advocate-general v. William Morton and John Morgan.*—This was an *ex-officio* information, filed by the Advocate-general against the defendants, on fourteen counts, for conspiring with a person named Lalla Bholonaut, and others, by false plaint and false affidavit of debt and jurisdiction, to arrest Mendy Ally Khan without probable cause. In some of the counts it charged a conspiracy to extort a Peraan bond, and in others a conspiracy to arrest and illegally detain in arrest.

The Advocate-general, in his opening, justified the course of proceeding adopted, by the peculiar circumstances of the

the case. He then proceeded to state, that the nawab, or hakeem, Mendy Ally Khan, was well known as the late vizir, or prime minister, of the King of Oude, who makes so conspicuous a figure in the transactions which are the subjects of the "Oude Papers." On his degradation, he sought a refuge in the British territories at Futtyghur. Being wealthy, and pleased with English society, in 1821 he formed an acquaintance with Mr. Morton, of the house of M'Clintock and Co., a branch of which was established at Futtyghur. The hakeem advanced to Mr. Morton, on his personal security, the sum of 1,27,000 sicca rupees, for which Mr. Morton gave a Persian bond, dated in July 1821, which was afterwards endorsed by the house of M'Clintock and Co. The payments of interest were not regular; notwithstanding which, the nawab was in the habit of lending Mr. Morton sums of money for stated periods, which were paid regularly with interest. In the beginning of 1824, a coolness took place between them, which continued up to January 1826, the time of the arrest, at which period the bond was not paid, it not being due till July 1826.

The Advocate-general then stated that he should prove, first, that the hakeem was not subject to the jurisdiction of this court; and secondly, that no debt could have been due from him to Mr. Morton. He regretted the loss of some material witnesses, owing to the delay, and also the refusal of the nawab, through a repugnance common to Musulmans of rank, to attend and give evidence.

The alleged debt in this case was for about 6,000 rupees; the affidavit of the debt was made in November 1825, at which period there were three half-years' interest due on the bond, amounting to 24,000 rupees.

The Advocate-general then detailed the circumstances of the arrest. On the 28th January 1826, whilst the nawab was sitting in his house, he was informed that the judge of Benares (so Morgan represented himself) was without. The nawab politely saw him in, and when the servants had retired, he was arrested (though there was costly furniture in the house), and taken to Mr. Morton's premises, and confined in a small unfurnished house. A strong feeling was soon excited in the neighbourhood, and several persons, European and native, visited him. One of the nawab's servants overheard Morgan say to the nawab, "you must pay the money for which you are arrested, or come over with me to Calcutta." If such were the law, observed the Advocate-general, the Supreme Court here would be an instrument of supreme oppression. In a day or two the nawab was released, previous to which he was visited by Capt. Hutchings, who went to Mr. Morton and offered bail for him to

Morgan, the bailiff. It was refused, and Morgan said, "he must come down to Calcutta; there are other detainers out against him." On being asked if that were the law, Mr. Morton replied, "the bailiff is right; the writ is not bailable; I have taken care of that." This was not correct; for although a writ had been taken out against the nawab for 1,70,000 rupees, it had expired; it was returnable on the 13th November, and the writ under which he was arrested was taken out on the 24th; the first writ had never been proceeded in. The power of attorney given by Mr. Morton to take out the first writ was signed "Wm. Morton by the hand of Lalla Bholonaut." Could it be believed, said the Advocate-general, that the sum of 1,70,000 rupees could be due, when an affidavit was made a week after for a writ for only 6,000 rupees? The inference was, that the large sum was sworn to for the purpose of laying a detainer against the nawab. The Advocate-general proceeded to comment upon the evidence of conspiracy amongst the parties which their acts afforded, and upon the harsh treatment of the nawab, whose distressed feelings being reported to Mr. Morton, the latter replied, "I have no doubt the nawab feels his present disgrace, and he deserves to feel it, for he has done all he can to injure me and my family; he is an unprincipled rascal."

The evidence was then entered into, which lasted several days. We can give but a very abridged account of the evidence for the prosecution.

Capt. Hutchings, a captain in the Company's service. In January 1826, was on a visit to his brother-in-law, Mr. Wright, at Futtyghur. Remembered the nawab's arrest on the 28th January. On that day a person named Hussein Ally came to Mr. Wright. In consequence, went to the hakeem; found him in a dufterconnah on Mr. Morton's premises: he had one servant with him; saw no armed persons then. Went to Mr. Morton's, said to him, "I am come on the poor nawab's affairs; I am told he is arrested at your suit; can I see the bailiff?" He said, "certainly." He immediately called a person by name Morgan. Witness asked him for the authority under which he had arrested the nawab; he produced a paper, but would not permit him to take a copy. Witness said, "of course you will take bail;" he said, "no, sir, I will not."—"You will take the money?"—"No, sir, I will not; my orders are to take him to the sheriff of Calcutta." He added, that it had come to his knowledge that there were detainers against him. Witness said to Mr. Morton, "this man cannot be acting correctly;" he said, "yes, he is right; the writ is not bailable; I have taken care of that." or words to the same effect. Commu-



cated what the balliff had said to the nawab; sent for Morgan and said, "take care what you are about (called the persons present, and offered the money or bail); he said, "I refuse both." I then said, "be it so, take him to Calcutta; but make his stay here as agreeable as possible; let him go to his house, where he will have his friends about him; he can make you any recompense you may require." He said, "sir, I want no bribe to do my duty; there are armed men outside; I will not let him stir." Witness again went to Mr. Morton and begged he would use his influence with the balliff to persuade him to allow the hakeem to go home till all things were arranged to take him to Calcutta; he said, as far as he was concerned he would not consent; that if he did feel his situation, he deserved to feel it; that he was an unprincipled rascal, and had done all in his power to injure him (Morton). Witness said, "Mr. Morton, the debt is not the only thing you appear to seek?" He said, "perhaps not," or words to that effect. Not long afterwards, the amount of the writ was sent for, and offered to Morgan by Capt. Fulton, and refused. The room in which the hakeem was confined was small, and had no furniture. He appeared in a wretched state.

*Cross-examined.*—He appeared more distressed as to the injury of his character than his purse. Mr. Wright and the hakeem were intimate. The hakeem frequently visited Mr. Wright. Mr. and Mrs. Wright visited him frequently. If Morton had made a demand at that time of a bond of 1,75,000 sicca rupees, he should have remembered it. The hakeem never said he did make such a demand. It was commonly reported, after this transaction, that there was a demand made of the Persian bond. On going first to the bungalow there were very few persons there; in the evening there were perhaps 200 or 300 men of the hakeem's armed. Either Mr. Morton or the balliff requested witness to use his influence not to have violence used to Morgan. Does not think on Morgan's part that the apprehension of a rescue was an unnatural apprehension. There was no reason why a rescue should be effected as easily from the bungalow as from the hakeem's own house. Remembers the balliff's saying that the nawab was in custody of the sheriff of Calcutta, who was the proper person to release him. When witness offered bail or money first to Morgan, Morton was present and heard it refused. At the time of arrest there was a place of greater security to which he might have been taken—the gaol or the fort. The gaol was under Mr. Wright's government, the fort under Colonel Hickman. The hakeem expressed no surprise at his having been arrested,

nor did he say it was for a sum he did not owe.

Capt. Fulton, agent for gun-carriages at Puttyghur, corroborated part of the evidence of Capt. Hutchings. He was present when the money was offered to Morgan and refused. Col. Hickman (who is dead) and the witness offered to be bail, but Morgan refused to take it, alleging that there was another writ out against the nawab. Witness offered to give accommodation to the nawab and Morgan in the fort; the latter refused to let him go, or to suffer him to see his family before he commenced his journey to Calcutta. The nawab then wished to go at once to Calcutta, as he feared remaining in the house of his enemy, and did not know but some of the armed men might be emissaries from Oude. The effect of the confinement on the nawab was a great depression of spirits; he expressed a feeling of deep insult and injury, and asked what laws those were which permitted such acts.

*Cross-examined.*—On my return to the bungalow on Sunday I saw armed men; many of them were the hakeem's. If he had wished to rescue himself I think he might from the bungalow. The hakeem had a large force in his employment; he could raise 600 or 800 men if he liked. The hakeem expressed a surprise that he should be arrested for 6,400 rupees, when Morgan owed him a larger sum.

Mr. H. Swetenham, collector of Shah-jehanpore, proved that Mr. Morton said he could release the hakeem "if he agreed to certain conditions which were well known to him." Witness remonstrated with Morton; he said that the nawab had behaved very ill to him, that he was now in his custody, and he would go to the extent the law allowed. Mr. Morton spoke very bitterly of the nawab's conduct, and refused to release him. The nawab appeared annoyed beyond measure at his arrest.

*Cross-examined.*—Wrote to Mr. Wright to get his interference on behalf of the nawab. Had a personal interview with him in consequence of his note to him. Witness never heard that there was a meeting to induce Mr. Wright to interfere and release the hakeem. Witness was at a dinner party at Mr. Bathurst's when the question was discussed; it was at that time a subject of general conversation. Wrote to Mr. Wright from the bungalow, and stated that witness hoped he would take the responsibility of releasing the hakeem, as he conceived him unjustly arrested. He expressed his intention of releasing the hakeem. Witness told Mr. Morton he would lose the regard of his friends, and mentioned the smallness of his debt. He said his books would show that the hakeem was in his debt. Mendy Ally Khan is supposed to be a man of great wealth; he

is considered the owner of all the wealth. He had at one time eighty-six or ninety-six lacs of Company's paper, and thirty lacs in the mint. Some of the bills were in the name of Mahomed Ally Khan. He is very close in money matters, and a most disagreeable person to have money transactions with. Witness heard he was advised to break his arrest; he might have done so at any moment. Witness advised him not, but to remain quiet and he would be released.

John Evans, English writer to the nawab, proved the offer of the money to Morgan and its refusal; also that the nawab wished to go at once to Calcutta by water or by dawk, which Morgan declined at that time. The hakeem corresponded with Mr. Morton; the letters passed through witness's hands.

*Cross-examined.*—Witness has conducted the nawab's English correspondence since January 1823. Witness believed the name of Mahomed Ally Khan (the grand nephew and heir of the nawab) was used in the business, not frequently, the witness had to transact. Witness had frequently written to M<sup>c</sup>Clintock and Co. by desire of the nawab. Witness was instructed by the nawab to write to them, and say that he accepted their proposal of copartnership, and that he would pay to Mr. Morton the sum of 1,30,000 sicca rupees in addition to the funds already in their hands; that was in June 1823.

[A conversation here took place between the bench and bar as to the possibility of proving that the two averments contained in all the counts but two, namely, that the nawab was arrested without probable cause, and that he was not subject to the jurisdiction, were facts known to all the parties. The question as to the former depended upon intricate accounts of partnership; and the jurisdiction depended also on difficult questions of fact.]

The last witness (Evans) then underwent a long cross-examination, in the course of which he equivocated respecting the instructions which he said were drawn up by Mr. Morton, and copied out fair by him; though he would not swear the nawab did not give him those instructions.

Mr. Waddington, deputy-sheriff in 1825-6, signed all the warrants. Remembered writing two letters to Morgan, one enclosing a warrant, the other directing him to release the prisoner. If a bailiff released a prisoner, taking the amount of the writ, and another writ existed, the plaintiff would be entitled to recover against the sheriff. The bailiff has instructions to make a reference to the sheriff. Witness was an attorney. He considered natives living in the Mofussil, who had agents carrying on business and houses in Calcutta, to be amenable to this court. [A bailiff ought not to take a prisoner to the

plaintiff's house without his consent. There was but one writ out against the hakeem at the time of arrest.

Wm. Hay Macnaghten, register of the Sudder Dewanny Court, was sheriff in 1825. If a man is under an arrest of mesne process by this court, a provincial magistrate was not authorized, nor was it the practice, to release a prisoner, or to interfere, unless he had claims in his own court.

Mr. Smoult, under-sheriff to Mr. Macnaghten, produced two writs against Mendy Ally Khan, at the instigation of Wm. Morton; the first was tested 12th of July 1825, for 1,70,000 sicca rupees, returnable 13th of November—returned 27th of October 1826—*non est inventus*. The second writ, tested the 18th of November 1825, for 6,360 sicca rupees, returnable on the 31st of January 1826, and returned the 26th of October 1826—*cepi corpus*.

*Cross-examined.*—Has no recollection of ever having issued a bailable process against any one without first having made a demand. Should not do so, unless in consequence of such demand he would leave the jurisdiction. Was up the country in October 1826, at an entertainment at the hakeem's. Had no conversation with the hakeem on the subject of this information. He talked of the affair of M<sup>c</sup>Clintock and Co. Did not understand from him that he was particularly interested in them. The bailiff could not arrest on the first writ after the 13th of November without information that the time of return had been enlarged. He could not have arrested without a new warrant, but the old one should have been no bar to the release. The bailiff might release or he might not in his situation. Witness thinks the bailiff might have hesitated, holding the first warrant. Witness must have hesitated in the bailiff's situation. Morgan's general character is good; that opinion has been confirmed on inquiry. The bailiff could not have been sure that such proceeding were not had on the original writ as to obtain an *alias capias*. He would have been equally liable on *alias capias* as on the original writ. If an *alias capias* had issued, it was the duty of the sheriff to inform the bailiff.

Lallgee Mull, cash-keeper and keeper of the robes to the nawab, had been in his service 30 years. It was about eight years since the nawab became acquainted with Mr. Morton. The nawab has never been down to Calcutta since witness came into his service. Has no recollection of his having a house of business in Calcutta, or being a trader; knows of the transactions between Morton and the nawab. The nawab has a claim against Mr. Morton for 1,75,000 sicca rupees, lent in the Higer year 1234. Interest was paid for it, but I have no account of it. Other sums

sums were lent and repaid with interest in 1237 and 1239. In 1237 forty-five pieces of shawls were sent to Mr. Morton by the nawab.

*Cross-examined.* — Knows Lalla Bholanaut; he was one of Mr. Morton's sir-cars. The forty-five pieces of shawls were sent to Mr. Morton because he approved of them; he took them as a purchase. Mr. Morton was charged only the price charged by the dealer. He got them because he took a fancy to them; he chose the finest. There is no trade carried on in the nawab's house; not even in the compound. Mahomed Ally Khan has certainly dealings in indigo; he began to deal in 84 or 85. The hakeem has no indigo factories nor ever had. Knows Hoo-kumchund; is a shroff at Furruckabad he conducts the cooty of Ram Gopal Nursing Doss. There have been disputes between that house and the nawab about money, not opium or indigo. The hakeem considered the firm indebted to him, and they brought him in debt to them; the dispute was settled by a punchayet. There was not a word said on that occasion of opium, indigo, or cotton; there was of a string of pearls. Knows nothing of a bond for 1,25,000 sicca rupees; but does of one for 1,75,000 rupees. Witness caused the latter sum to be paid to Mr. Morton, by orders of the nawab, in the year 1234 Higera, by Nursing Doss. Hoo-kumchund took credit for that sum. Does not know whether, before Morton went into the house of M'Clintock and Co., that he, the nawab, and Hoo-kumchund were in partnership. Does not know that Morton and the house of Nursing Doss ever were in partnership. Is not aware that the Persian bond was given on Mr. Morton's taking on himself the debts and credits of that partnership. Knows of no payments of interest on that bond; if they had been brought into the account witness keeps, should have known of them. The nawab has never had a house of business in Calcutta. He has no landed property except two houses and a village up the country. He had a house in Calcutta which he had purchased for an emaubarrah, but that he has made over to Mahomed Ally. Seebooram, who keeps the account of the nawab's landed property, is not in Calcutta. The hakeem and Meercrem Ally used to correspond. Believes there was some money transactions between them. A house requires no particular preparation to make it into an emaubarrah. During the ten days of the mohurram it is lighted up and used for religious purposes. It may be used during the remainder of the year for mercantile purposes. There is no harm in converting one room into a dufterconnah. An emaubarrah may be used for any mercantile purpose, but must not be defiled.

The gomastahs, &c. write in that emaubarrah, and it is notorious in Calcutta as the cooty of the Aga Kerbooloi Mahomed.

R. M'Clintock, Esq. Mr. Morton and Mr. Bell were partners of witness in 1821-1822. Partnership commenced in March 1821. Knows of the pinnace sent to the nawab in 1821 or 1822; sent by M'Clintock and Co. by order of Morton; house had no account with the nawab, and charged Morton. Wrote to Morton to make a claim on the nawab for the amount; debited the Futtighur account with it. Knows of a gold bird-cage sent to the nawab; it was sent about January or February 1822, on the same account as the pinnace; debited in the same manner as the Futtighur branch.

*Cross-examined.* — Morton resided entirely at Futtighur; all things sent there by house charged to the Futtighur account. In 1824 witness settled the claim of the hakeem on the house, which had been originally in his name, but changed a few months before. Thinks utmost extent was six lacs of rupees. Communicated with the aga on this claim when it stood in the hakeem's name. Aga used to consult M'C. and Co. Aga did not communicate with the house as agent for the hakeem, it was in his own name. Witness knew of his connexion with the hakeem, and had the use of the hakeem's money. Witness concluded from this, that the aga had it on the hakeem's account. From subsequent intercourse, witness was confirmed in this impression. Witness was arrested in the name of the aga. Witness received chits from Mr. Colebrook Sutherland, treating the debt witness was arrested for as a debt of the hakeem's. Sutherland left India: until he, Sutherland, left India, witness never heard a doubt that the funds in M'Clintock and Co.'s and in the aga's hands were the hakeem's. Hakeem was admitted a partner in M'Clintock and Co. Hakeem did not complete his engagements: suspended in 1824. Witness had hakeem's engagements, which were delivered to Mr. Sutherland upon the hakeem's making an arrangement. The money was in the name of the nephew of the hakeem; the bond in the name of the aga. Believes Mr. Sutherland was not present at any settlement. House owed hakeem six lacs: was to pay by instalments by an agreement in writing. Accounts and vouchers delivered over to Alexander and Co., deposited with them as agents of the hakeem. Witness's house continued paying instalments of 8,000 a month for seventeen months. Found difficulty in making those instalments. Called upon the nawab for payment of the pinnace and the bird-cage: asked the aga to allow the house to wipe up that in the instalments of May and June 1825. Aga refused: would

would be allowed by and by, when we had heard all that the bird cage was allowed for in the instalment for February or March 1826, before witness's own imprisonment. House had ceased to make payments long before that. Partnership not dissolved until April 1826; long after the failure. House was unable to complete its engagements. Mr. Bell took possession of the factories as agent for the trustees. When Aga came down to Calcutta, witness thinks he brought with him 7,44,000 rupees in Company's paper, exclusive of the six lacs, to be invested. Premium was credited to the hakeem; this was in 1822; there was no part of the 7,44,000 rupees in the hakeem's name; premium and interest of the whole were credited to the nawab; the whole of the principal was re-invested and returned to the nawab through the aga. No fault ever found with M'C. and Co. for carrying interest and premium to the hakeem's account. Account of this transaction was closed in February 1823. Nawab wrote to say he would join M'C. and Co. as a partner. Witness prepared a deed, attached to the deed of the other partners. Witness executed and sent it up; when it arrived, nawab had changed his mind. Nawab had become a partner by his own acknowledgment: his refusal communicated to witness by Mr. Morton and Mr. Bell. In 1820, firm consisted of witness alone; in March 1821 took in Morton and Bell; Morton had previously been a captain in the Company's engineers. Previous to partnership witness knew nothing of the nawab. House had nothing to do with the shawls; did not like the speculation; shawls came to witness on Morton's own account: recollects no other separate transaction of Morton's: first transaction of the house with the hakeem was through Morton; thinks two or three lacs of Company's paper sent not to be invested in trade, but to be either changed or sold, and proceeds returned. There was a loan of two lacs and odd.

Charles Colebrook Sutherland is a partner in the house of Alexander and Co.; acquainted with the name of the hakeem. A. and Co. are his agents; Palmer and Co. are also his agents; and he has two native agents; one is Aga Kurbuloi. At request of the hakeem, witness assisted the aga in his transactions with M'Clintock and Co.; this regarded a note of 6,000 rupees due to Mahomed Ali Khan. Has heard that Mahomed Ali Khan is the nephew. Saw M'Clintock; the Nawab never carried on trade with him; nor does witness acknowledge; nor does witness know to be so.

Chief Justice. — Aga Kurbuloi is a trader and a shawls holder; believes the aga to be a partner of the hakeem; believes Mahomed Ali Khan has property; has heard that Mahomed Ali Khan has property.

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he has funds in A. and Co.'s hands, but no account current with house. M'Clintock gave me up no papers to my recollection; has no recollection of the partnership letter being given up; thinks it was stated to be with Morton; witness has preserved no letters of M'Clintock's; thinks hakeem complained that the letters were not given up. Hakeem was a constituent of the house in 1819; witness became acquainted with the aga a year or two afterwards, as agent of the nawab. Knew Meer Akrum Ally, not as agent of the nawab. Nawab has always had a running account. Aga has an account with the bank of Hindostan.

Nathaniel Alexander, Esq.—Hakeem carries on no trade to witness's knowledge.

Cross-examined.—Witness pays the evidence in this prosecution. Was called on by government to do so. Wrote the nawab and got his authority. Told by Mr. Shakespear verbally that they would direct the Advocate-General to prosecute, but the nawab must pay. Has paid money. Thinks the taxed bill amounts to 19,000 rupees. The evidence is not checked or controlled by Government. Witness has always understood, that natives carrying on trade in Calcutta are subject to the jurisdiction. If the trade of Kurbuloi was that of the nawab, should have considered the nawab responsible. The aga never informed me that his principal was the hakeem.

The rest of the evidence for the prosecution, which lasted till the ninth day, related to the complicated accounts between the parties and to the nature of the hakeem's connexion with the house at Calcutta.

Mr. Turton, for the defendant, Morton, submitted that there was no case to go to a jury.

The Chief Justice could not say there was no case as to Morton.

Mr. Turton then submitted that he had a right to Morgan's acquittal and evidence.

The jury, however, wished the case to go on.

Mr. Turton then addressed the jury for Mr. Morton. Even admitting that every thing stated against Morton in the information is correct, and the others the involuntary instruments for compassing his designs, he cannot be found guilty, because then no conspiracy would exist, and the information charged him with conspiring. Heavy prejudices have been excited against Morton: perjury, defamation, and conspiracy are the crimes with which he is groundlessly accused. This is the first criminal information filed for the last fifteen years, the first since the power of so doing was first committed to an Advocate-General, and is now filed to revenge a private wrong. The object of this prosecution is to take Mr. Morton out of the way.

where he is free from arrest, and to place him beside Mr. M'Clintock, who is in jail for the very same debt for which the hakeem wishes to arrest Morton—and thus multiply his victims. This information was filed, without application to the court, on the *ex parte* statement of the adverse party. We are told this is a public prosecution. Does government or the public bear the expense? No, each party bears its own costs. The nawab complains of having suffered indignities; none have been proved because none were offered; his situation, while under arrest, was as comfortable as the case would admit of. The three best evidences, Morgan, the hakeem, and Meer Londonny, have not been brought forward. When defendants are arrested they naturally desire to see the plaintiffs, with a view to effect some arrangement; on this account the hakeem voluntarily left his house to go to Morton's, or why need he have gone at all? There were people in the room with the hakeem and Morgan, there were choky-dars outside who could call others, and, in fact, at once raise 7,000 men, whom, it is evident, he keeps in pay. Can you, after this, infer that his removal was coercive? Morton was angry with Morgan for bringing the hakeem to his house, which could not answer any good purpose; and it is for that reason that Morton would not release the hakeem. It is in evidence that the hakeem inspected his own accounts every morning, and he and he only was the fit person to be brought to prove his accounts; he is in fact his own accountant; the man brought to prove them turns out to be the "private expenditure account keeper;" what does he know about the account? The hakeem has not been brought down; why has not the Advocate-general brought him down in redemption of his honour as a law-officer pledged last term? No, it was not convenient; no directions were even given to serve the hakeem with the subpoena sent to Evans. Aga Kerboli Mahomet is a person capable of speaking to the facts in the information; yet, although he lives in Calcutta, he has not been produced. Mrs. Meer is absolutely now in Calcutta, yet has she not been produced. If I had been in the Advocate-general's place, I should have written to the hakeem, desiring him to come forward together with his relations and dependants, or else I would have entered a *noli prosecute* and dropped the matter. Why not produce Lalloo Bholanaut, the stamp-vender, known for two years to the nawab's private accountant? They were of the same caste. Did Morgan conspire? He was not in Calcutta; he had never been at Futtighur before the nawab's arrest, which was the business that brought him there. Mr. Turton here quoted Lord Ellenborough, Lord Tenterden, and others,

in disproof of the Advocate-general's allegation, that at the time of the arrest no debt was lawfully due to Morton from the hakeem in consequence of there being a balance of interest on the Persian bond in arrears. In 1821 Morton joined the house of M'Clintock and Co., when the house at Futtighur was fixed as the Futtighur branch of the firm, but solely conducted by Morton. Early in that year the hakeem entered into partnership with Hookumchund Doss and Mr. Morton for the purchase and sale of cloth, indigo, &c.; the year becoming unpromising, the hakeem withdrew; and Morton, rather indignantly, and perhaps not very prudently, declared that he would carry on the establishment by himself. The three partners settled, and it was agreed, that for the sum of two and a half lacs of rupees Morton should take upon himself all the liabilities of the establishment. For this sum Morton gave the Persian bond, so much and so often talked of, payable in five years, and bearing interest at 5½ per cent. per annum in the intermediate time. This, gentlemen, is the true history of the Persian bond, given, as my learned friend the advocate-general would have it, for money advanced to Morton. This being the case, how can the bond be set off against the pinnace and bird-cage which were purchased from M'Clintock and Co. About three months subsequently to the hakeem and Hookumchund withdrawing from the partnership with Mr. Morton, the hakeem applied to him, requesting that he would be a party in a purchase of opium that he was about to make. Mr. Morton consented, and the opium was to be purchased through the agency of the hakeem's servants; the speculation turning out even more advantageous than the hakeem had anticipated, he cast about for means by which to exclude his partner Morton from a participation in the profits, and with this view informed him that no opium could be procured. It was not till some time afterwards, when a dispute had taken place between the two native partners, that Hookumchund informed Mr. Morton (by way of retaliating the injury he had himself sustained from Mehndi Ali Khan) that the purchase of opium had taken place, that the hakeem had refused 2,500 rupees a chest for it, in the very place where it had been bought, which would have been a considerable gain, and that he afterwards disposed of the whole at a clear profit of four lacs and 56,000 rupees. This opium came round, consigned to Meer Acram Ali by the nawab, and I will also prove the remittances made by that agent to his principal on this account. Opium was shipped in the name of Mahomed Ali Khan; the five policies of insurance on this shipment, and another of five chests in the same name, were paid in drafts.

drafts drawn by the hakeem's agent Aga Kerbolli Mahomet, and placed by him to the account of the hakeem. In the year 1822, Meer Acrum Ali ceased to be the hakeem's agent, and it is in evidence, that the transfer of the house purchased in Calcutta by him for the nawab, and made over to Mahomed Ali Khan, was not registered till 1826, after the arrest had taken place. By the Mahomedan law, a delivery over and taking possession of a house is essentially necessary to the validity of a transfer. But let us just take a glance at the way in which this instrument has been executed. In 1826 the nawab sends for two of his menial servants, one of whom could write and the other could not, to witness the transfer. Well, at the head of the seals to this instrument was that of Hadi Mahomed, the father of Mahomed Ali Khan and elder brother of the hakeem. This man had been dead some time, but his seal as a witness was indispensable, as the transfer was supposed to have been made during his life-time. But why was his name not prefixed to his seal? Alas! those who made use of his seal could not make use of his hand—for he was dead. To have the names of the living witnesses prefixed to their seals would not do, and therefore to preserve uniformity, and lull suspicion in the minds of the inquisitive, they all set their seals without subscribing their names; but to counterbalance any legal disadvantage which this novel mode of executing a deed might entail upon those concerned, two menials are called in, and in the presence of the only witnesses who had ever seen or heard of that transfer, are told to sign their names to the document; an order that was complied with by one for both. They are then verbally informed that the house in Calcutta, formerly belonging to the nawab, has been by him transferred to Mahomed Ali Khan, who takes the deed home with him; and, to complete the farce, sends it to the office of his friend the collector at Futtchghur, who registers it without any examination or further preliminary than merely swearing the men sent for the purpose to the genuineness of the power of attorney given to them on the occasion. The transfer should have been drawn on an *ad valorem* stamp, but none suiting the antedated transfer was procurable, and no time was to be lost, so a *one rupee stamp*, corresponding with the fictitious date of the transfer, was made use of.

Mr. Clarke was heard at great length for the defendant Morgan. He commented strongly on the mode in which this prosecution had been brought, maintaining that though ostensibly a public prosecution, the hakeem was really the prosecutor. He complained also of the delay since proceedings were first instituted

against the defendants, and charged the Advocate-general with being the cause of this delay. By this delay witnesses essential to the defence had been lost, to the great injury of his clients' cause. He also complained of witnesses being kept back by the informant, such as Ruffi Ali Khan, who keeps the books of the hakeem, and the aga who transacts his business. He would not enter into any detail of the difficulty of procuring witnesses, but would content himself with noticing one: Mr. Morton arrived at Futtchghur on the 17th May 1827; his license was immediately demanded by Mr. Middleton (judge at Furruckabad), and on the 18th he was arrested and under a guard of sepoy; the precept of the Court of Appeal releasing him was not obeyed, and he was obliged to make a second appeal; he was surrounded by armed men; and arrested a second time under detainers of Middleton's court; these, and a variety of other hardships and oppressive acts to which Morton was subjected, were commented on severely by the learned counsel, as proof of the spirit entertained towards Morton by Middleton, of whose conduct he alleged Government had disapproved, as well as the Court of Appeal. Mr. Clarke then justified the conduct of the bailiff, in refusing both money and bail, alleging that he could not legally release without the authority of the sheriff, and citing various cases in support of his argument. The refusal on the part of Morgan was not to take the money, but to take it in discharge. He closed his address by stating generally the nature of the evidence he should adduce in defence of Morgan.

The evidence for the defence occupied two days.

The Advocate-general replied at considerable length.

The Chief Justice then delivered a very detailed charge, the great length of which obliges us to defer it till next month.

At seven o'clock in the evening of December 3d, the jury (of whom the Hon. Mr. Elliot was foreman) pronounced without hesitation a verdict of *acquittal*.

### MISCELLANEOUS.

#### OFFICIAL VISIT OF INSPECTION TO THE EASTWARD.

We understand that the Governor-general has relinquished the idea of going to the eastward, as some time ago announced, and that the Honourable Mr. Bayley, member of Council, will proceed on Saturday, in his Lordship's room, by the *Enterprise* steam-vessel, Capt. Johnston.—*Cal. John Bull*, Dec. 10.

#### THE STAMP TAX.

A meeting of the committee of the inhabitants of Calcutta was held at the office of

of Messrs. Palmer and Co. on the 1st November, and which was respectably and numerously attended by other European and native gentlemen who were interested in the success of the recent petitions to Parliament; John Palmer, Esq., in the chair. The secretary read to the meeting several letters addressed to the chairman by Mr. Crawford, the agent of the committee in London; also the memorial and correspondence of the London and Liverpool East-India Associations relative to the stamp act, and other documents which had been transmitted by Mr. Crawford; when it was unanimously resolved,

That Mr. Crawford be appointed our general agent in England, to watch over the interests of this community in concert with the East-India Trade Committees in London, Liverpool, and other towns, and under the instructions from time to time of a committee in this city.

That Mr. Crawford be requested to accept the agency, with an income of £1,500 per annum, as a remuneration for his continued and valuable services.

That we again petition the local government that the existing stamp-tax may cease to be enforced in Calcutta.

That the local government be also petitioned to withdraw the taxes levied in the county courts in law proceedings in the form of stamp duties.

That this meeting having reason to believe that a new regulation for imposing stamp duties in Calcutta is immediately about to be transmitted by this government to the Court of Directors for the purpose of receiving their approbation and that of the Board of Control, preparatory to the same being offered for registration; resolved, that a respectful appeal against it on the ground of its inexpediency, and on objections to the principle of such a tax, be again made to Government, and that in case the same be refused, that Government be humbly requested to furnish the committee of the inhabitants with a copy of the proposed regulation.

That in case the proposed regulation be persevered in, Mr. Crawford have instructions without loss of time to oppose the same by all practicable means, and to protect the interests of the inhabitants of Calcutta in regard thereto.

It is alleged in the memorial referred to, in contradiction to the assertion contained in Mr. Secretary Prinsep's reply to the former memorial, namely, that the natives of the Mofussil were actually subjected to a stamp tax upon all negotiable paper in the same manner as that in which it was proposed to levy it within the presidency; that although such a tax was indeed promulgated in 1824, it was (owing to the great discontent manifested by the natives on the occasion) tacitly abandoned,

although it was never formally repealed.

#### LAW EXPENSES.

It is stated in one of the Calcutta papers, as an evil calling loudly for remedy, that before a plaintiff can sue a party in the Court of Requests at this presidency, he must deposit, as fees of court, nearly twenty per cent. upon the amount of his claim, exclusive of the cost of subpoenas necessary to prove it.

Another paper states that, "in the Supreme Court, in the late case of the Advocate-general against Morton and another," the Chief Justice alluded in very strong language to the enormous and frightful expense attending an equity suit in court, as forming some palliation for the mode in which Morton, the defendant in this action, had treated Mehndy Ally Khan. But we all know, that expense is not confined to the equity side of the court: we could cite a case, at this moment, on the law side, and that one of the most simple and unincumbered that can be brought into court, where the expenses have already exceeded 12,000 rupees; a sum which, exorbitant as it is, bids fair to be doubled in the next stage of this action at common law. Will it be credited by our readers, that the mere costs in an action for libel will probably amount to nearly 30,000 rupees before it is finished?" The same paper (the *John Bull*) adds, in another place, "the orders of the House of Commons directing a return of all the fees and emoluments received in the different courts of India have been hailed as a most gratifying event, the forerunner of a reformation in this branch of the judicial establishment."

#### DIMINUTION OF THE EXPENDITURE.

Several important changes are in progress, or rather already completed, in the judicial branch of the Hon. Company's service. The great object in view is to lessen the expenditure in this particular part of the state machinery; and this object is to be obtained by a reduction both in the number of judicial servants, and in the allowances hitherto granted to them. We understand, that by the time the new arrangements are completed, the whole of this branch of the service will be completely new-modelled. A similar proceeding, it is said, is also in contemplation for the revenue, and other departments of the service, as well as a general reduction of allowances in all branches.—*John Bull*, Nov. 26;

The commission for equalizing allowances and expenditure over the three presidencies is now the topic of general interest and conversation. Measures are in progress for soon putting it into operation; and

and we have heard the names of the civil and military gentlemen of Madras and Bombay who, along with those of this presidency, are to form the commission. The organization of two boards, at the head of each of which is to be a member of council, is also among the rumoured improvements of the day.—*Ibid.*, Dec. 8.

We have not heard that the Penang presidency has been invited to join in these financial deliberations. If we should be right in our position, that the Company's interests at Penang do not require the pomp of a regular government and large military staff, a retrenchment of the eighteen or twenty lacs expended in this way would afford probably a relief to the Company's treasury which might render many contemplated clippings in minor matters unnecessary.—*Beng. Chron.*, Nov. 29.

"We have learned with great regret, that in consequence of repeated and peremptory orders from the Court of Directors, Government has been under the necessity of carrying into effect the regulation enjoined in 1824, by which officers stationed below Allahabad are only to receive half batta, with a small allowance for house-rent. We do not deem it proper to obtrude any remarks of our own on a measure which will be so severely felt, and in quarters where there is so little ability to bear even the minutest curtailment; but if we should anticipate the official promulgation of the measure, we may perhaps render a service to our military friends whom it may affect, in preparing them for it, so that they may endeavour, by the early adoption of a rigid economy, to put themselves in a situation to feel it less severely.—*Bengal Hurk.*, Dec. 4.

The following letter, applicable to the subject of the latter reform, appears in one of the Calcutta papers.

*To the Editor.*

Sir: As retrenchment has become indispensable, and as such tidings are never welcome to those who can afford it, I beg leave to give you a statement of my expenses, which will clearly prove how unreasonable it is to object to such measures when the necessities of the state demand any increase of revenue.

I arrived in India about fifteen months ago, and had the good fortune to be posted to a corps very soon after my arrival. I had £120 in my pocket, which I thought a large sum; and I believe it was more than any of the batch could boast of. I purchased a horse for Rs. 470; I paid for my uniform Rs. 426; for a saddle and bridle Rs. 60 12; white jackets and pantaloons Rs. 240; a set of breakfast apparatus, including every thing, Rs. 94; a bed, table, four chairs, and other necessary articles of furniture, Rs. 140; a

small tent, second-hand, Rs. 210; and other trifling articles suitable to the climate, about Rs. 300. My father told me to stand comfortably, and I did so; and borrowed from an agency house Rs. 740 to pay my debts, resolving to clear it off as fast as possible. An old sub. to whom I had a letter, told me what servants to hire, and what establishment to keep up in order to appear respectable. I had no time for being a dandy, less for drinking, and no expensive habits. I am resolved to study my profession, and set to work eagerly. I bought the requisite books, all included in the above Rs. 300; and after the first month, was snugly settled, and made no bad figure at the head of a company, to which I was not a little gratified to find myself posted on field days. My monthly expenses were as follows, and have never varied twenty rupees any month since the second month after my arrival.

	Sa.Rs.
Mess bill, on an average .....	70
Breakfast do. ....	20
Horse's keep, including servants ...	16
House rent .....	35
Servants .....	60
Subscription to periodicals, newspapers, reading-room, billiard-room, public parties, charity.....	24
Repairs of clothes, saddlery, breakages, tear and wear, sundries, incidental expenses, and uniform...	40
Religion and agency .....	

Total .....Sa. Rs. 265

The whole of my income for the last year has netted Rs. 195 per month, so that I have regularly got into debt Rs. 70 per month, instead of paying off my Rs. 740, and am now in Messrs. — and Co.'s books about Rs. 1,500, exclusive of interest and commission charges.

The prospect before me is very bright, and it will be still more so if I have the good fortune to be placed on half-batta. It is said, how do many others live and not get into debt who have the same allowance? I declare I should be ashamed to describe the shifts they are put to in order to keep within their income; and it would scarcely be credited that the sons of gentlemen in a foreign land were reduced to such pinching poverty and absolute privations.

I am, sir, your's truly,

*Below Allahabad,*

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Nov. 20, 1828.

#### MURDER OF A BRITISH OFFICER.

We are sorry to hear that letters received in town from Dinapore mention the murder of the adjutant of H.M.'s 13th regt. of foot, the corps now stationed there. He was shot by a private during parade. The adjutant was much respected as an officer; and has left a wife and a family of eight



eight children to bewail his loss.—*Cal. John Bull*, Dec. 9.

#### SUTTEE'S ESCAPE FROM THE PILE.

The following letter, from an eye-witness, appears in the *John Bull* of October 22.

"On the 14th inst. an occurrence took place at Santipore which has created considerable interest in the neighbourhood. A woman about twenty-five years of age, of the Telce caste, on the demise of her husband, resolved to burn herself with the corpse, of which intention intimation was given to the magistrate, who, with several gentlemen, proceeded to the ghaut, in order to expostulate with the infatuated creature, where the police darogha was in attendance. On his arrival he found her seated beside the body, attended by different members of her family, waiting till the funeral pile, which was erecting at a short distance, should be finished. Every argument that could be thought of was now urged by him to dissuade her from her purpose, with all the earnestness the occasion was calculated to excite; but his solicitations, and the remonstrances of her own relations also, not proving successful after many persevering efforts, the magistrate reluctantly retired, and the other gentlemen also withdrew to a distance, until the ceremonies which usually precede the act of self-immolation were about to be commenced, when they followed, and placed themselves nearer the scene of action. With most inimitable composure, the suttee went through the performance of various preparatory rites. Having conversed with the gooroo, washed her hands with the Gunga water, and been decked out according to established forms by kinswomen, she slowly and calmly raised herself from the ground, poured some rice into her lap, and scattering the grain as she marched in a direction contrary to the sun's course, encircled the pile three times, and at last, unassisted, with unbleached lip, mounted the structure, and threw herself on the remains of her husband. Her son, a lad about thirteen years of age, then applied the torch, and a wailing cry of '*hurree bole! hurree bole!*' was instantly raised by the surrounding spectators, which she continued to acknowledge by waving her hand until the flames began to envelope her, when her courage, which had been wrought to the highest pitch, failed, and she sprang from amid the devouring fire in a state of extreme agitation from pain and terror. At this unexpected event, exclamations of disappointment were heard; her son seemed plunged in the depth of despair; some unfeelingly bid her throw herself again into the flames, but she appeared to be scarcely sensible of what was taking place: after remaining in a sort of stupor, at length

she seized her son's hand, and led by him moved away from the spot without venturing to cast one look behind. On being conveyed to the house of the residents, means were employed to alleviate the pain arising from the injury her arm had sustained, and to soothe her mind. After a while she became sufficiently calm to reply to the inquiries which were instituted into the motives that had led her to ascend the funeral pyre. Her determination to become a suttee had been the result not of choice, or of any notion that by so doing she would escape some undignified misery in a future state, but of fear of personal obloquy and neglect from her friends, and of bringing disgrace on them and her son. Indeed, the apprehensions that her want of firmness would prejudice the boy's interests and success in life, were with great difficulty quieted by repeated assurances of protection. It would appear that she had sprung from the pile from an impulsive impulse; but doubtless the conversation, which had previously been held with her, had tended to shake her determination, and perhaps the knowledge that persons were present who would shield her from immediate injury or insult prevented hesitation, when even momentary delay might have caused the forfeit of life. Having become tranquil, she was ultimately sent home with her relatives, who also appeared quite reconciled to the course that the affair had taken."

#### SIR DAVID OCHTERLONY'S MONUMENT.

The erection of the monument to the memory of Sir David Ochterlony, from a design by Mr. C. K. Robison, is at last in progress. The site fixed upon for this structure is the middle of the Esplanade, between the course and the Chouringhee road. The committee appointed to direct the construction of the work had determined that it should bear the characteristics of Moslem architecture, with the view of recording Sir David's partiality for the Mussulman portion of the inhabitants of this empire; and accordingly, the monument is taken from the towers or pillars to be found in the countries under the Mahomedan rule situated between Europe and Asia. It is, in fact, a composition from such portions of them as were thought most beautiful. The base, like many of the towers alluded to, is purely Egyptian; the shaft, containing a stair, is Grecian; and the galleries are exactly those used by the Turks, upon which the muezzins proclaim the hours of prayer. The two galleries will afford good space to walk round, and an extensive view of the city of palaces, the lowest being 190 feet from the ground, and the second sixteen feet higher. The dimensions, according to the plan, are as follows: the foundation, 8 feet deep and 40 feet broad; bot-

tom of the pedestal, 24 feet; top of the pedestal, 21 feet; height of the pedestal, including the steps, 33 feet; diameter of the bottom of the shaft, 14 feet; ditto of the top of ditto, 10 feet; length of the shaft, 90 feet; diameter of the lower gallery, 15 feet; ditto of the upper ditto, 12½ feet; total height of the column or monument, 165 feet from the ground.—*Cal. Gov. Gaz.*, Nov. 10.

#### EUROPE TRADE.

*Europe Goods*.—The market generally unusually heavy, and considerable difficulty in effecting sales to any extent.

*Freight to London*.—Still rates at £2 to £5 per ton.—*Cal. Pr. Curr.*, Dec. 11.

#### TELEGRAPHS.

Copy of a letter in the *John Bull*: "On a late visit to Penang and Madras, I have found that the Semaphoric telegraph has superseded the old shutter principle. The superiority of that machine in point of simplicity, scope, durability, and certainty, is acknowledged all over Europe and America, and I make no doubt it will eventually be adopted in India, notwithstanding the 'solecism advanced in Calcutta,' that a shutter, six feet square, will be found more distinguishable at the greatest visible distance, than angles on an upright, by a moveable arm (nine feet in length by eighteen inches in breadth): this assertion was endeavoured to be justified by saying, 'that although a particular signal may be more distinguishable in Europe, it may be less so in the climate of India.' Allowing the assertion, for sake of argument, it must follow that H.M.'s ships on the East-India station, also the pilot schooners and merchantmen, are furnished with disproportionate signals and telescopes for this climate. Government have judiciously abolished the shutter line from Calcutta to Chunar invalid station, a distance of 400 miles, which involved a monthly expense of 3,500 rupees. I trust that this, and other improvements in contemplation, will be a prelude to another more useful establishment from Calcutta, not one-quarter the former distance.

"Marquess Hastings took great credit for the strand improvement; had he not listened (through a multiplicity of business) to the solecism before stated, he would have added another sprig of laurel to his government, by leaving a valuable legacy to his successors and the commercial interest of Calcutta."

#### DESTRUCTION OF INSECTS BY STEAM.

The experiment of steaming instead of smoking vessels, for the purpose of killing insects and vermin, has been tried on the Hon. Company's cruiser *Investigator*, with the most complete success. Our readers

are of course aware, that ships in this country always fall into premature decay by the destructive ravages of the white ant, which, in a very short space of time, will reduce a sound timber to a state of perfect decay, so that it will pulverize to the touch. Hitherto, until the experiment we have mentioned, all means which had been tried for effectually eradicating these insects from vessels had failed; but steaming, it appears, has supplied the important desideratum, and not a single white ant is left alive in the *Investigator*. The fact we deem it very important to make known to the mercantile community, for it may be the means of saving many a valuable ship.—*Beng. Chron.*, Oct. 30.

#### INDIGO.

In the *Indigo Planters' Manual* for this year, just published, we observe that the crop for 1829 is estimated at rather above than below 81,500 maunds: of these, 42,500 are expected from Bengal, 12,000 from Benares, 10,000 from Tirhoot, and 17,000 from Oude. This estimate may be regarded as nearly correct, being founded on data derived from the best sources. The exports to England were, last year, 108,807; to France, 21,659; America, 8,800; Stockholm, 392; Gulf, 3,580; and the consumption in Calcutta, 6,047; making a total of 1,49,284 maunds.—*Cal. John Bull*, Nov. 8.

#### NATIVE LIBERALITY.

We have much pleasure in announcing, that the subscription towards the propagation of knowledge in the highlands and islands of Scotland continues to receive a very flattering support. Since the collection was made at St. Andrew's Church on the 16th, 2,000 rupees additional have been subscribed in aid of this very excellent institution, which possesses so peculiar a claim to the patronage of all Scotchmen; and as time has not yet been given to its friends in the country to contribute their mite to it, a still greater addition may be expected. It is with peculiar satisfaction that we notice the truly liberal and generous contributions towards this excellent object on the part of several of the most highly respectable native gentlemen at the presidency; and we hope we shall be excused in expressing the hope that those who have the management of the sums to be remitted from this country, will take care to bring this liberality to the special attention of his Royal Highness the president and the directors of the Highland Society. It is truly gratifying to see, that where the great objects of education are to be promoted, whether at one extremity of the British empire—in the widest sense of the word—or at the other,

other, there is such a rivalry of "good works" as the present instance exhibits: and we can venture to assure the native gentlemen, who have displayed a spirit worthy of them as men of enlightened minds, that their contributions will be received at home with feelings of no ordinary cordiality and gratitude.—*Cal. John Bull*, Nov. 25.

## GAITIES.

Great complaints were making, as the cold season approached, at the want of energy in preparing for the customary gaieties, no prospect of Town Hall subscription balls being held out. The *India Gazette*, the oracle of the *beau monde* at Calcutta, attributes the circumstance to sundry causes, chiefly to the high price of the admission tickets. "In verity," observes the editor, "the financial history of some of our Calcutta festivities would form a very curious work, showing that wastery of public money is not confined to the national funds. We have not, for instance, forgotten a certain ball in *posse*, but never doomed to become one in *esse*—a probable but impossible ball, that never was given, but which cost, nevertheless, we believe, something to the tune of about 1,400 pounds sterling! Such nice breakfasts for the stewards, and such cheap charges for them too—such judicious and disinterested architectural modifications, considering at whose expense they were—such beautiful Dacca muslin—such elegant ornaments for the stewards, costing nothing—and such reasonable consideration on the part of the *Castor* and *Pollux* of restaurateurs, to charge nothing at all at for scourgings and garnishings of their own superb Town Hall furniture!"

The *John Bull* says; "We have heard it conjectured, that as *economy* in the expenditure of the state is the order of the day, *economy* in that of its servants must follow as a matter of course; and that when things are brought to that pass, that the egg and the bit of fish must be dispensed with in the morning to meet the 'cuttings,' it is absurd to expect that the evening should not keep the morning in countenance, and be equally devoted to sobriety."

A ball was given at Government house, on the 5th Nov., attended (as usual) by "all the beauty, rank, and fashion at the presidency." On the 17th, Sir Charles Metcalfe gave his first evening party, at his splendid house in Garden Reach, which was attended by "most of the beauty and fashion of Calcutta." Lady William Bentinck was present. Mr. Stirling gave a splendid fancy dress ball on the 9th Dec.; and several other private balls were on the tapis.

## NATIVE PAPERS.

*Calamity in Caubul*.—Runjeet Singh was still at Amritsar on the 10th of October. The son of Yar Mahommed Khan, of Peshawer, informed his highness that his father had gone to Samerkhand, and that intelligence had been received of a great calamity having befallen the inhabitants of Caubul: during the space of twenty days, 100 persons had died daily, and the loss of animals had been immense. A great number of the survivors fled from the city towards Derre Jungle.

## SHIPPING.

## Arrivals in the River.

Nov. 2. *Columbia*, Kirkwood, from Liverpool. 6. *Belzoni*, Talbert, from London and Madras. *Mountaineer*, Canny, from London, Bombay, and Madras; *Cornwall*, Aldham, from London, and *Margaret*, Taylor, from Singapore, Malacca, and Penang.—7. *Lord Anherst*, Ardill, from Mauritius and Penang.—10. *Duke of Lancaster*, Hanney, from Liverpool.—11. *La Lave*, Bayle, from Bordeaux.—12. *Brazorneaux*, Chisnam, from London.—14. *Cecilia*, Stevens, from Singapore, Malacca, and Penang.—15. *Cowes*, Sturges, from Boston.—17. *Resource*, Barrington, from Singapore and Penang.—18. *Coromandel*, Dupeyron, from Bordeaux; *Jean Jacques*, Gouterin, from ditto; *Henrietta*, Destangue, from ditto; *Balguerie Stenborg*, Challes, from ditto; *Two Brothers*, Briggs, from Siam, United States; and *Byron*, Andrew, from Chile.—19. *Lord Hungerford*, Heathorn, from London; *Mafai*, Brown, from ditto; *Mars*, Titcombe, from Boston; and *Bombay*, Dare, from Port Morrison.—20. *Chongqua*, Privet, from Havre and China; and *Phoenix*, Arthur, from Batavia, Singapore, and Penang.—21. *James Pattison*, Grote, from London.—22. *Thalia*, Blden, from London; *Agnes*, Wilson, from Leith; *William Miles*, Sampson, from V. D. Land; *General Lafayette*, Darre, from Lima and Samarang; *St. George*, Petier, from Bordeaux.—24. *Sophia*, from London; and *General Foy*, Allegre, from Bordeaux.—25. *Abderton*, Percival, from Cape; and *Mohra*, Thornhill, from London.—26. *Queen Charlotte*, Maughan, from N. S. W.—30. *Les Pictols*, Delauney, from Bombay; *Jobbo*, and *Minerva*, Phillips, from Singapore, Malacca, and Penang.—Dec. 3. *Bombay*, Wilson, from London and Cape; and *Chongqua*, Miller, from ditto.—8. *Nancy*, Guzenac, from Bordeaux.—9. *Edipe*, Lepout, from Havre; *Watworth Castle*, Sinclair, from Greenock and Cocos Island; and *Lady Flora*, Fayer, from London.—12. *Isabella*, Parker, from Newcastle and Bordeaux.—13. *Maitland*, Short, from London.—16. *Adalina*, Murray, from Bordeaux.

## Departures from Calcutta.

Oct. 31. *Greenock*, Miller, for London.—Nov. 1. *John Hayes*, Worthing, for London, via Isle of France; and *Almorah*, Boyd, for Ceylon and London.—3. *Malgache*, Courtin, for Bourbon; and *Mary*, Dobson, for Mauritius.—6. *Claudine*, Flinn, for London.—7. *Coathane*, Durward, for Mauritius.—10. *Louise*, Arnold, for Bombay.—13. *Anthony*, Headley, for Mauritius.—18. *Darius*, Hunter, for Mauritius; and *Thames*, Bugg, for London.—16. *Children*, Parry, for Liverpool; and *Fort*, Froodfoot, for Boston.—25. *France*, Sherill, for Penang.—28. *Georgiana*, Morse, for Mauritius.—Dec. 1. *Frederic*, Welbourne, for Mauritius.—5. *Cambria Castle*, Davey, for Madras; *London*, Hooghly, Davison, for Boston; *St. George*, Pope, for Madras and London; and *St. George*, Swainson, for Liverpool.—8. *Rosburgh Castle*, Denny, for Madras and London; and *Cygnus*, Taylor, for Bombay.—9. *Belzoni*, Talbert, for Madras.—11. *Columbus*, Tucker, for Boston.—12. *Louisa*, Mackay, for Colombo; and *Liverpool Packet*, Lord, for Boston.—13. *Croco*, Sallis, for Isle of France.—14. *Diamond*, Clarke, for London; and *Romilly*, Beaufort, for Isle of France and Bourbon.—16. *Agnes*, Miller, for Mauritius.

## BIRTHS.

Aug. 6. At Moulsmein, the lady of Major Hilton, H.M.'s 46th regt., of a son.  
 Sept. 11. At Cawnpore, the lady of H. G. Tuckett, Esq., Light Drago., of a daughter.  
 — At Futtehgurh, Mrs. E. MacCutchan, of a daughter.  
 27. At Benares, the Lady of H. Stainforth, Esq., of a son.  
 Oct. 10. At Benares, the lady of Robt. Walker, Esq., civil service, of a son.  
 13. At Nussceerabad, the lady of Lieut. J. D. Nash, 33d N.I., of a son.  
 14. At Sultanpore, Oude, the lady of Capt. C. Godby, 36th N.I., of a daughter.  
 15. At Hyderabad, the lady of Capt. Ivie Campbell, 12th Bengal N.I., of a daughter.  
 16. At Mooradabad, the lady of Lieut. B. Browne, Bengal Artillery, of a son.  
 — At Goruckpore, the lady of Dr. J. Sullivan, of a son.  
 19. At Nussceerabad, the lady of Lieut. W. Benson, 4th Cavalry, of a daughter.  
 21. At Benares, the lady of Major H. Maxwell, commanding 43d N.I., of a son.  
 23. At Calcutta, Mrs. S. La Blanc, of a son.  
 25. At Dinapore, the lady of Capt. O'Donel, 13th N.I., of a daughter.  
 — At Calcutta, Mrs. G. J. Smith, of a son.  
 27. At Cawnpore, the lady of Lieut. and Qu. Mast. Griffin, 24th N.I., of a son.  
 — At Neemuch, the lady of Lieut. Lewis, dep. assist. com. gen., of a son.  
 29. At Dacca, the lady of John Drew, Esq., civil service, of a son.  
 29. At Hingna, near Nagpore, the lady of Capt. Stack, brigade major to Nagpore Auxiliary Horse, of a son.  
 — At Calcutta, the lady of Capt. Ousely, professor of Persian and Arabic in the College of Fort William, of a son.  
 — At Howrah, Mrs. Roy, of a daughter.  
 30. At Dum Dum, the lady of Capt. C. Graham, Horse Artillery, of a son.  
 — At Itanly, the wife of Mr. John Green, H. C.'s export warehouse, of a son.  
 — At Cabur Factory, via Purneah, Mrs. Chas. Jadovine, of a daughter.  
 31. At Dum Dum, the lady of Lieut. J. T. Lane, Artillery, of a daughter.  
 Nov. 1. At Benares, the lady of Lieut. Col. G. Warden, 37th N.I., of a son.  
 — At Calcutta, Mrs. J. Kelso, of a daughter.  
 2. At Mahdapore, the lady of J. Graham, Esq., M.D., of a son.  
 3. At Cawnpore, the lady of H. S. Oldfield, Esq., civil service, of a son.  
 — At Saugor, Mrs. S. L. W. Peters, of a son.  
 4. At Calcutta, the wife of Mr. D. Gomes, of a daughter.  
 5. At Berhampore, Mrs. P. Moran, of a daughter.  
 6. At Calcutta, the lady of H. C. Watts, Esq., of a daughter.  
 — At Calcutta, Mrs. F. D. Kellner, of a son.  
 — At Calcutta Free School, Mrs. P. Sutherland, of a son.  
 7. At Ghazeeapore, the lady of M. J. Lemarchand, Esq., of a son.  
 — At Calcutta, Mrs. Jane Hume, of a daughter.  
 8. At Calcutta, Mrs. Sophia Webb, of a son.  
 9. At Lucknow, the lady of Lieut. Col. J. H. Litter, 14th N.I., of a daughter.  
 — At Calcutta, Mrs. David George, of a daughter.  
 12. At Cawnpore, the lady of Capt. A. Fuller, 33d N.I., of a son.  
 — At Ramkhatopore, Howrah, the wife of Mr. Jas. Perle, of a son.  
 13. At Bancoora, the lady of J. F. M. Reid, Esq., civil service, of a daughter.  
 — At Calcutta, Mrs. G. R. Gardener, of a daughter.  
 14. At Calcutta, Mrs. S. P. Singer, of a daughter.  
 16. At Barrackpore, the lady of Fred. Corby, Esq., Bengal medical service, of a son.  
 — At Cawnpore, the lady of Major C. F. Wild, of a son.  
 17. At Secrole, Benares, Mrs. Jas. Durand, of a daughter.  
 18. At Calcutta, the lady of Thos. Marriott, Esq., of a son.  
 19. At Calcutta, Mrs. David Picachy, of a son and heir.  
 30. At Calcutta, Mrs. Wm. Ryland, of a daughter.

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21. In Fort William, the lady of Lieut. Col. Swiney, Artillery, of a daughter.  
 — At Ghazeeapore, the lady of Wm. Bruce, Esq., of a son.  
 — At Luckeepore, the lady of H. H. Griffiths, Esq., of a daughter.  
 22. At Fulbariah Factory, Dacca, the lady of E. R. Coser, Esq., indigo planter, of a son.  
 — At Calcutta, the wife of Mr. Peter Gill, of a son.  
 24. At Papamow, near Allahabad, the lady of Assist. Surg. Stuart, of a son.  
 25. At Saugor, the lady of Lieut. and Adj. Wintle, 71st N.I., of a son.  
 — At Calcutta, Mrs. I. C. Fink, of a daughter.  
 27. At Calcutta, Mrs. Thomas Jones, of a son.  
 28. At Calcutta, Mrs. Jacob Hoff, of a daughter.  
 29. At Delhi, the lady of T. T. Metcalfe, Esq., civil service, of a son and heir.  
 Dec. 1. At Calcutta, Mrs. A. H. J. Martyr, of a son.  
 — At Seebpore, Mrs. R. E. Jones, of a still-born son.  
 3. At Mozuffurpore, Tyrhoot, the lady of T. Dashwood, Esq., civil service, of a daughter.  
 6. At Chowringhee, the lady of Harry Nisbet, Esq., civil service, of a daughter.  
 7. At Calcutta, the lady of G. E. Hudson, Esq., attorney at law, of a daughter.  
 11. At Chowringhee, the lady of C. K. Robinson, Esq., of a son.

## MARRIAGES.

Oct. 19. At Singeah Factory, Tyrhoot, J. Richards, Esq., of Peeprah, to Henrietta Eliza, eldest daughter of H. Fitzgerald, Esq.  
 27. At Calcutta, Mr. S. Dangen, writer, to Mrs. Maria D'Oliveira.  
 Nov. 3. At Meerut, Mr. James R. Horan, to Julia, only daughter of Mr. Henry Bhole, of that place, indigo planter.  
 8. At Calcutta, Mr. G. H. B. Gonsalves, to Miss Harriet Gomes.  
 10. At Calcutta, Mr. Manuel Rodrigues, to Mrs. Magdalena D'Rosario.  
 — At Calcutta, James Mac Rae, Esq., assist. surg. Bengal army, to Miss Caroline Emma Holmes.  
 11. At Calcutta, Mr. Cachick Calistan, of Syddabad, to Miss Mary G. Jacob.  
 14. At Calcutta, Mr. C. A. Vortaines, to Mrs. Mary Aganore, relict of the late Mackertich Arratton Aganore, and third daughter of the late Johannes Sarkies, Esq.  
 15. At Calcutta, Mr. John Stevens, to Miss Mary Nicholas.  
 17. At Calcutta, Mr. Edw. Mayer, assistant lithographic office, to Miss Amelia Fenwick, of Sulkea, granddaughter of the late Sir Edward Fenwick, Bart.  
 19. At Calcutta, G. H. Swaine, Esq., to Frances, youngest daughter of Capt. Lynch, late master attendant at Batavia.  
 — At Calcutta, Mr. James H. Madge, to Miss Mary L. D. Owen.  
 — At Muttra, Lieut. and Adj. J. C. Lumsdaine, 58th N.I., to Henrietta Eliza, eldest daughter of Brigadier Richards, C.B.  
 20. At Calcutta, Mr. A. Pittar, to Frances Anne, second daughter of the late W. A. Fell, Esq., of Ulverstone, Lancashire, England.  
 — At Calcutta, Geo. Denny, Esq., commander of the ship *Roxburgh Castle*, to Catherine Helen Todd, daughter of Fryar Todd, Esq., of London.  
 — At Calcutta, Wm. Anderson, Esq., son of the late Capt. H. Anderson, 12th N.I., to Maria Jane, eldest daughter of the late Lieut. R. Hodgkinson, Madras establishment.  
 22. At Calcutta, H. Bousfield, Esq., assist. surg., to Isabella Barr, daughter of the late J. Newman, Esq., of Finemere House, Bucks.  
 — At Calcutta, Mr. Mathew D'Silva, to Miss Eliza Augusta D'Costa.  
 24. At Calcutta, Mr. Thomas Kieyn, indigo planter, to Miss Ann Souza Bird.  
 25. At Calcutta, Mr. Richard King, to Miss Charlotte Solomon.  
 27. At Chandernagore, Henry Peddington, Esq., to Madlle. J. De Lavalette.  
 28. At Midnapore, Fred. Millett, Esq., B. C. S., to Maria, sixth daughter of James Wintle, Esq., late of the Bengal civil service.

29. At Calcutta, Mr. Clement D'Silva, to Miss Margaret Ramsay.

Dec. 1. At Calcutta, Mr. Samuel Potter, to Miss Ellen Priscilla Templeton.

2. At Calcutta, Thos. Bruce, Esq., of the civil service, to Miss H. Dorin.

4. At Calcutta, Lieut. Chas. Boulton, 47th N.I., to Miss Charlotte Emily Corfield.

#### DEATHS.

Oct. 10. At Calcutta, Mr. D. Garrett, aged 60.

— At Purneah, Mrs. Peris, widow of the late Dr. A. Peris, of Calcutta.

18. At Calcutta, Johannah, relict of the late Mr. Samuel Hughes, aged 95.

19. At Lucknow, Lieut. C. V. Wyld, adjutant 14th regt. N.I.

22. On board the ship *Euphrates*, off the Sand-Heads, Mr. Henry Townsend, aged 32, superintendent of the press at Bishop's College.

25. At Lucknow, Capt. Wm. Hodgson, late of the 26th N.I.

26. At Cawnpore, Mr. J. V. V. Marliardett.

29. At Calcutta, Capt. S. R. Harding, late of the ship *Apple*, aged 32.

— At Bulloah, Locally, Ellen, daughter of J. Baker, Esq., civil assistant surgeon of that station, aged 5 years.

— At Futteghurh, Mrs. MacCutchan.

29. At Cossimbazar, Mrs. Sweedland, relict of C. Sweedland, Esq.

31. At Calcutta, Capt. J. S. Falconer, late commander of the brig *Pallas*, aged 30.

Nov. 1. At Moorshedabad, Mr. James Thompson, surveyor of Nizamut lands, aged 57.

— At Calcutta, Mr. Wm. Wall, of the H.C.'s marine, aged 20.

3. On board the ship *Grace*, at sea, on her way to Singapore, Margaret, wife of the Rev. A. Macpherson, district chaplain, Dum Dum, in her 28th year.

4. At Calcutta, Mrs. Thirmanda A. J. Joseph, eldest daughter of the late Johannes Harraipet, Esq., of Moorshedabad, aged 14.

6. At Calcutta, Mr. T. T. Tutin, accountant in the office of the superintendent of stamps, aged 29.

7. At Intally, Mr. John Green, an assistant in the Export warehouse, aged 35.

— At Calcutta, Mrs. Dominga Pinto, aged 85.

— At Calcutta, Thomas Hewett, Esq., late attorney at law, aged 34.

— At Howrah, Mr. A. B. De Leina, aged 65.

8. At Calcutta, Capt. Edw. Paglar, commander of the ship *Cashmere Merchant*, aged 35.

— At Serampore, Mrs. Harriet Chambers, aged 16.

— At Calcutta, Margaret, wife of Mr. J. M. Cantopher.

11. At Calcutta, Mr. Abraham James, late printer of the India Gazette press.

— At the General Hospital, Calcutta, Thomas Pine, youngest son of Capt. John Rogers, aged 6 years.

12. At Calcutta, Edw. Barnett, Esq., of the civil service, aged 44.

13. At Calcutta, Wm. A. Livingston, Esq., of the firm of Messrs. Tulloh and Co., aged 29.

— At Calcutta, Mr. John Shaw, assistant in the general treasury, aged 32.

15. At the Sand-heads, on board the H.C.'s pilot vessel *Flora*, William Lyall, Esq.

— At Chandernagore, Mr. John D'Souza, aged 70.

17. At Calcutta, A. C. Seymour, Esq., head assistant in the chief secretary's office, aged 62.

18. At Ellichpore, Capt. T. Kennedy, R.M.'s 54th Foot, and commanding 8th regt. of Inf. in his Highness the Nizam's army.

21. At Calcutta, Francis Vignon, Esq., proprietor of the Howrah docks, aged 52.

23. At Calcutta, Mr. L. A. Gonsalves, head master of the principal Roman Catholic Charity School, aged 73.

— At Calcutta, Harriet, daughter of Mr. John Perroux, register of the salt and opium departments, aged 16.

24. At Papanow, near Allahabad, Catherine Magdelina, wife of Assist. Surg. Stuart, H.M.'s 44th regt., aged 29.

— At Futteghurh, Mr. A. G. Balfour, late of the Government Gazette press.

29. At Calcutta, Mrs. Matilda Emily Ann Hodgson, the lady of Col. J. A. Hodgson, surveyor-general, aged 32.

Dec. 2. At Calcutta, Mr. James Goodbrand, crier at Messrs. Tulloh and Co.'s, aged 51.

2. At Calcutta, Mrs. Marlam Caloostan, of Intally, aged 70.

3. At Calcutta, the Rev. D. Schmid, of the European Female Orphan Asylum, aged 37.

— At Calcutta, Mr. Francis Derozio, jun.

6. At Calcutta, Mr. G. Wm. Le Cerf, surgeon, aged 38.

9. At Calcutta, Emella Grierson, widow of the late Capt. Grierson, of the royal navy, aged 25.

— At Monghier, Susan, wife of Mr. T. G. Crosswell, aged 46.

## Madras.

### GOVERNMENT GENERAL ORDERS.

#### STUDY OF THE NATIVE LANGUAGES.

*Head-Quarters, Choultry Plain, Sept. 22, 1828.*—The Commander-in-chief, advertising to the regulations published in General Orders of the 4th Jan. 1822, which prohibits officers on first joining their regiments being allowed to take charge of troops and companies, or put on any roster for duty till dismissed drill, and have made sufficient progress in the Hindoostanee language to explain orders to those placed under their command, has resolved, as a measure of importance to the service, and with a view also of encouraging a more general study of the native languages, that such regimental staff officers as have not already passed an examination in Hindoostanee, shall now be required to appear before competent committees to be assembled, without further instructions, by officers commanding the several divisions and forces of the army, between the 1st of March and the 1st of April 1829.

The committee will prepare separate reports of each case, and a detailed account of the examination, and state their opinion of the proficiency of the officers to enable them to conduct the duties required of an interpreter or adjutant, as the case may be, and those officers who are declared unqualified will be removed from their respective situations.

Any other officers who have made a proficiency in the native languages, and express a wish to be examined, are in like manner to be brought before committees; the proceedings of which, in every case, are to be transmitted to the adjutant-general of the army, for submission to his Exc. the Commander-in-chief.

#### REGIMENTAL COMMAND ALLOWANCES.

*Fort St. George. Sept. 26, 1828.*—The Right Hon. the Governor in Council deems it expedient to establish the following regulations regarding regimental command allowances:

When the senior officer eligible to regimental duty, and present in actual command of a corps, is ordered from his station

tion on duty, he is to continue in receipt of the established command allowance, which is to be drawn for the period of his employment on the detached duty, and for the regulated period of travelling. He is also entitled to travelling batta for going from, and returning to his station, according to distance; but the court-martial allowance hitherto authorized in such cases is to be discontinued.

The officers in temporary charge of corps, during the absence of commanding officers, when detached from their stations, are to draw the following allowances for the periods above specified.

Lieutenant-Colonels...	Rs. 70	0	
Majors .....	52	8	} per Month.
Captains.....	35	0	
Subaltern officers .....	21	0	

In consequence of the above provisions, the General Orders 26th July 1825 and 5th October 1827, regarding the allowances attached to regimental command, are rescinded; in all other respects the present regulations to remain in force.

#### PASSAGE MONEY TO FAMILIES OF KING'S OFFICERS RETURNING TO ENGLAND.

*Fort St. George, Oct. 17, 1828.*—The Right Hon. the Governor in Council deems it expedient to publish, for the information of officers of H.M.'s service serving under this government, the following extract of a general letter from the Hon. the Court of Directors in the Military Department, under date the 14th May 1828.

2. "We have had repeated occasions to comment on the resolutions of your government, granting passage-money to the families of King's officers on their return to England; but we regret to find that our instructions on this point have not been attended with their desired effect at your presidency.

3. "The cases which have arisen divide themselves into two classes.

"*First.* Widows and orphans of officers dying in India.

"*Second.* Wives and children of officers returning to England.

4. "To provide for the conveyance to England of widows and orphans who are left in destitute circumstances, a fund was established in the year 1822 by officers of H.M.'s regiments serving in India. The principle and objects of this fund have received our concurrence, and a subscription of Rs. 6,000 a year has been authorized by us towards its support.

5. "From the documents noted in the margin,\* we find that this fund has not been effectual for all the cases which have arisen since its establishment, in conse-

quence of the adoption of a rule that, unless two-thirds of the officers of a regiment subscribe, the whole regiment shall be excluded from the benefits of the fund.

6. "We hope that an opportunity will soon occur for revising this rule, and we are very sorry that its necessity should ever have been suggested, by the refusal of any large number of officers to subscribe to this humane institution.

7. "The officers in our service, who have been appointed of late years, are all *required* to contribute to the support of the institutions established for the relief of their widows and children; and we would hope that some rule, which shall be equally effectual for the support of this fund, may be adopted by H.M.'s officers.

8. "In the subscription we have made, we have done as much, if not more in proportion for H.M.'s officers, as we have done for the officers of the Company's army in our subscriptions to their funds; and, as we never provide for any individual case of distress which may arise on the part of the widow or children of an officer of our service, we must likewise decline to make any such separate provision, in any future case, for the widow or children of an officer of H.M.'s army.

9. "His Grace the Commander-in-chief has observed on this subject, 'that if the officers of his H.M.'s army will contribute, the fund will be sufficient to remedy the inconveniences which now exist; if, on the other hand, they decline to subscribe to it, it must be understood that they are willing to rely, in the event of their death, upon charity for the removal of their families to England.' If, therefore, any widows or orphans of H.M.'s officers be left destitute, it will be from the fault of their husbands and fathers.

10 "We therefore positively prohibit any further advance of money, on your part, to enable such widows and orphans to return to England.

"*Second.* Wives and children of officers returning to England.

11. "We had contemplated the advantage of including these cases among the objects to be provided for by the fund; but, on further consideration, we are of opinion that every officer must be left to make his own arrangements, independent of any charitable institution, or of the assistance of the state. The funds to which we contribute for the advantage of the Company's officers make no provision for such cases, and no allowance from the government is ever granted to defray the private expenses of officers on this account; we must, therefore, absolutely prohibit the grant of passage-money to the families of King's officers returning to England."

\* Memorial of Mrs. — and enclosure, transmitted with military letter from Madras, dated 25th Jan. 1828, para. 87.

## BURMESE CEDED TERRITORIES.

*Fort St. George, Oct. 31, 1828.*—The Right Hon. the Governor in Council is pleased to direct that the appointments of brigade-major on the Tenasserim coast, and of the staff officers of Tavoi and Mergui, shall be abolished from 31st Dec. next.

Capt. Spicer, the present brigade-major on the Tenasserim coast, is appointed cantonment adjutant at Moelmein from 1st Jan. next, and the staff duties of Tavoi and Mergui will be performed by the senior officer in command at those stations.

## CIVIL APPOINTMENTS.

Oct. 29. G. W. Saunders, Esq., third judge of Provincial Court of Appeal and Circuit for centre division.

A. D. Campbell, Esq., register to Court of Sudder and Foudjarry Adawlut.

G. J. Casamajor, Esq., judge and criminal judge of Zillah of Nellore.

Nov. 4. T. Newnham, Esq., first judge of Provincial Court of Appeal and Circuit for western division.

11. P. B. Smollet, Esq., head assistant to collector and magistrate of Guntoor.

18. W. A. Morehead, Esq., register to Zillah Court of Chingleput.

W. A. D. Inglis, Esq., assistant to principal collector and magistrate of Nellore.

28. J. Babington, Esq., collector and magistrate of Trichinopoly.

H. Dickinson, Esq., principal collector and magistrate of Canara.

Dec. 12. W. U. Arbuthnot, Esq., head assistant to principal collector and magistrate of southern division of Arcot.

19. W. B. Anderson, Esq., sheriff of Madras.

23. John Walker, Esq., assistant judge of Canara.

W. C. Ogilvie, Esq., secretary to board for college, and for public instruction, and deputy Telugoo translator to government.

## MILITARY APPOINTMENTS, PROMOTIONS, &amp;c.

*Fort St. George, Oct. 7, 1828.*—Lieut. Col. H. G. A. Taylor, 18th N.I., app. to command of Bellary, v. Stewart resigned.

Maj. M. J. Harris, 6th N.I., to be town major of Fort St. George, v. Taylor.

42d N.I. Sen. Lieut. John Waymouth to be capt., and Sen. Ens. H. S. O. Smith to be lieut., v. Scott dec.; dated 28th Sept. 1828.

Capt. R. S. Wilson to resume his situation of superintendent of family payments and pension.

Assist. Surg. John Mack appointed to medical charge of Governor's body guard, v. Johnston.

Oct. 10.—10th N.I. (the promotions published on 12th Sept. having been cancelled). Sen. Capt. H. G. Jourdan to be major, Sen. Lieut. W. Cotton to be capt., and Sen. Ens. (the late) A. B. Gibbings to be lieut., in suc. to Short prom.; dated 18th June 1828.—Sen. Ens. W. O. Fellowe to be lieut., v. Gibbings dec.; dated 3d Sept. 1828.

Lieut. Col. J. M. Coombs, 2d N.I., to command cantonment of Palaveram.

Capt. R. L. Highmoor, 5th L.C., to be paymaster to light field division of Hyderabad Subsidiary Force, v. Capt. Lawrie on leave to Europe.

Oct. 14.—Capt. C. G. Alves, 18th N.I., to be deputy judge adv. gen., v. Highmoor.

Capt. H. Coyle, 28th N.I., to be dep. assist. adj. general in centre division, v. Alves.

Surg. C. Currie to be garrison surgeon of Trichinopoly, v. Gibbon.

Surg. W. Turnbull to be cantonment surgeon of Belgaum, v. Currie.

Cadets of Infantry J. H. Colt, J. P. McDermot, and Evan Lloyd, admitted on establishment, and prom. to ensigns.

Ens. H. Dawson, 20th N.I., transferred to pension list.

Oct. 17.—Surg. John Underwood to be superintending surgeon to complete estab. from 8th Oct., v. Wyse dec., and posted to southern division of army.

Surg. Sir Thomas Sevestre, to be cantonment surgeon of St. Thomas's Mount, v. Underwood.

Assist. Surg. J. B. Preston to be garrison assist. surgeon at Cuddalore, v. Train prom.

Cadet of Infantry J. W. Farran admitted on establishment, and prom. to ensign.

6th L.C. Sen. Lieut. W. E. Litchfield to be capt. and Sen. Cornet F. F. Trench to be lieut., v. Babington dec.; dated 6th Oct. 1828.

8th L.C. Sen. Lieut. J. C. Wallace to be capt., and Sen. Cornet Wm. Wyndham to be lieut., v. Raymond dec.; dated 29th Sept. 1828.

Sen. Assist. Surgs. Wm. Train and Chas. Searle to be surgeons—former from 2d Oct. 1828, v. Neilson; and latter from 8th Oct. 1828, v. Wyse.

Oct. 21.—8th L.C. Capt. W. C. Litchfield, 6th L.C., to be acting riding master, v. Raymond.

Sur. Rich. Prince to be medical officer to civil establishments at Chittoor, v. Sir Thos. Sevestre.

*Head-Quarters, Oct. 15 1828.*—Ens. J. W. Farran (recently admitted) app. to do duty with 35th N.I.

Ens. C. J. Elphinstone doing duty with 29th, posted to 24th N.I.

Oct. 20.—Ens. C. R. Hobart, doing duty with 39th posted to 12th N.I.

Capt. Alves, dep. judge adv. gen., posted to V district.

Oct. 21.—Assist. Surg. S. H. Royce, 4th bat. artill., appointed to afford medical aid to details of regiments proceeding on board H.C.'s ship *Ernanaut*.

*Removals and postings of Surgeons.* J. Underwood, from 3d bat. Artillery to 13th N.I.; Sir Thos. Sevestre, from 4th to 3d bat. Artillery; R. Prince, from 33d N.I. to 4th bat. Artillery; W. Train (late prom.) to 33d N.I.; C. Searle (late prom.) to 7th L.C.

Oct. 22.—Ens. S. W. Shairp, 42d N.I., and Ens. Chas. Burton, 2d Europ. Regt., permitted to exchange corps.

Oct. 27.—*Removals of Lieut. Colonels.* J. Lindsay, from 48th to 2d N.I.; J. M. Coombs, from 2d to 41st ditto; H. Bowdler, from 41st to 48th ditto; G. M. Steuart, from 28th to 1st ditto; J. Green, from 1st to 28th ditto.

Oct. 28.—Lieut. Col. H. Raynsford, 3d L.C., appointed president, and Lieut. R. T. Wallace, rifle corps, and C. R. Bradstreet, 37th N.I., members of committee for ascertaining nearest heirs of deceased public followers formerly attached to corps and departments employed on late foreign service in Arracan.

Ens. S. G. C. Renaud removed, at his own request, from 16th N.I. to 1st Europ. Regt.

Ensigns J. W. Clarke and Thos. Fair, doing duty with 16th N.I., posted to 1st Europ. Regt. and 16th N.I. respectively.

Ens. T. J. Newbold removed from doing duty with 29th, to do duty with 4th N.I.

Cornet D. Groube removed, at his own request, from 1st to 8th L.C.

*Fort St. George, Oct. 24.*—Lieut. Col. J. Hanson, qu. mast. gen. of army, to be a member of Prize Committee.

The name of Ens. B. Bale, 12th N.I., struck off strength of army from 19th Oct. 1828.

Oct. 28.—*Engineers.* 1st-Lieut. C. E. Faber to be civil engineer in southern division, v. Capt. G. A. Underwood permitted to proceed to Europe; 1st-Lieut. A. Douglas to be superintending engineer at Nagpoor, v. Faber; 1st-Lieut. S. Best to be

be acting superintending engineer at Jaulnah, v. Douglas.

Oct. 31.—Capt. T. B. Forster, 8th N.I., to be assist. qu. mast. gen. to Hyderabad Subsidiary Force, v. Macleod resigned.

Capt. R. Alexander, 40th N.I., to act as assist. qu. mast. gen. to Hyderabad Subsidiary Force during absence of Capt. Forster on other duty.

Capt. F. H. Ely, 42d N.I., to act as dep. assist. qu. mast. gen. to centre division of army during absence of Capt. Alexander on other duty.

1st Europ. Regt. Ens. A. E. Nisbett to be lieut., v. Taynton cashiered; dated 28th Oct. 1828.

Nov. 7.—Maj. B. R. Hitchens, dep. adj. gen. of army, app. to charge of adj. general's department, with a seat at military and clothing boards during absence of Lieut. Col. T. H. S. Conway on other duty.

Capt. M. W. C. Smith, 6th Cavalry, to act as an extra deputy assist. adj. gen. of army till further orders.

Lieut. Col. Ormsby to be president of Prize Committee, and Major Hitchens to be a member of same, during absence of Lieut. Col. Conway on duty.

23d or W. L. I. Sen. Ens. J. T. Philpot to be lieut., v. Seece dec. dated 31st Oct. 1828.—Sen. Ens. T. W. Cooke to be lieut., v. Kinlock dec.; dated 1st Nov. 1828.

Head-Quarters, Nov. 3.—Ens. R. D. Armstrong, doing duty with 20th N.I., posted to 3d or Palamcottah L.I.

Nov. 4.—Ens. T. J. Newbold, doing duty with 4th N.I., posted to 23d or Wallajahbad L.I.

Surg. J. T. Conran removed from 2d to 33d N.I., and Surg. W. Train from latter to former regt.

Assist. Surg. S. H. Royes removed from 4th bat. Artillery to 3d L.I.

Nov. 6.—Removals of Lieut. Colonels. F. Walker, from 8th to 4th L.C.; S. Martin, from 4th to 8th do.; W. Clapham, from 1st Europ. regt. to 2d N.I.; J. Lindsay, from 2d N.I. to 1st Europ. regt.

Ens. H. Howard, doing duty with 16th N.I., posted to 23d or Wallajahbad L.I.

Nov. 7.—Assist. Surg. S. J. Humphreys removed from 4th L.C. to 45th N.I.

Fort St. George, Nov. 14.—Lieut. J. T. Philpot, 23d L.I., to be adj., v. Kinlock dec.

1st Europ. Regt. Ens. T. H. Hull to be lieut., v. Hooper dec.; dated 31st Dec. 1827.—Sen. Lieut. J. A. Howden to be capt., and Sen. Ens. J. G. Neill to be lieut., v. Hooper dec.; dated 7th Nov. 1828.

Capt. Geo. Faris, 1st L.C., permitted to act as paymaster in Travancore and Tinnevely during absence of Capt. C. Swanson.

Nov. 18.—1st Europ. Regt. Lieut. N. Burrard to be qu. mast. and paym., v. Howden prom.—Lieut. R. D. Weir to be adj., v. Burrard.

Nov. 21.—Assist. Surg. J. S. Owen permitted to enter on general duties of army.

Nov. 28.—46th N.I. Sen. Ens. F. B. Stevenson to be lieut., v. Johnston dec.; dated 27th Nov. 1828.

Dec. 2.—Lieut. C. A. Kerr, 3d L.C., to act as paymaster at Vizagapatam.

3d L.C. Lieut. C. B. Lindsay to act as qu. mast., interp., and paym.

Assist. Surg. T. M. Lane app. to medical duties at Vepery barracks, v. Browne dec.

3d or P. L. I. Sen. Lieut. Jas. Power to be capt., and Sen. Ens. R. H. J. Budd to be lieut., v. Johnston dec.; dated 9th Nov. 1828.

Dec. 5.—18th N.I. Sen. Lieut. T. S. Warner to be capt., and Sen. Ens. J. Gordon to be lieut., v. Smith dec.; dated 20th June 1828.

Messrs. F. B. Strapp and John Rowland admitted on establishment as assist. surgeons, and app. to do duty under garrison surgeon of Fort St. George.

Surg. J. Irving permitted to resign appointment of garrison surgeon at Poonamallee.

Head-Quarters, Nov. 28.—Maj. R. Jeffers removed from 4th to 3d Nat. Vet. Bat.

Nov. 27.—Ens. Grant Allen, doing duty with 39th, posted to 46th N.I.

Nov. 28.—Ens. Jas. Jackson, doing duty with 19th N.I., posted to 3d or Palamcottah L.I.

Removals of Ensigns. D. M. Bridges, D. W. Balfour, J. Ferrior, W. L. Burleigh, R. Rollo, J. P. M'Dermott, and P. Holmes, from 16th, to do duty with 10th N.I.; C. Ireland, from 16th, to do duty with 29th N.I.; T. Morrell and D. C. Campbell, from 21st, to do duty with 46th N.I.

2d-Lieut. W. C. Gordon removed from 3d to 4th bat. Artillery.

Dec. 4.—Ens. H. Pereira removed from doing duty with 38th, to do duty with 30th N.I.

Dec. 6.—Ens. G. Singleton, doing duty with 39th, posted to 18th N.I.

Removals of Lieut. Colonels. Commandant. C. Deacon, from 40th to 49th N.I.; R. H. Yates, from 49th to 40th ditto; D. C. Kenny, from 34th or C. L. I. to 12th N.I.; C. Macleod, from 12th N.I. to 34th or C. L. I.

Removals of Lieut. Colonels. R. L. Evans, from 22d to 2d N.I.; W. Clapham, from 2d to 43d ditto; H. W. Sale, from 43d to 9th ditto; J. Bell, from 9th to 22d ditto.

Returned to duty, from Europe. Maj. Rich. Crewe, 16th N.I.—Capt. F. H. Ely, 42d N.I.—Lieut. R. S. Gledstanes, 16th N.I.—Lieut. J. H. Craner, 4th N.I.—Capt. A. G. Hyslop, Artillery.—Lieut. A. T. Bridge, 22d N.I.

## FURLOUGHS.

To Europe.—Oct. 13. Assist. Surg. Jos. Thomson, for health.—14. Maj. R. H. Russell, 6th L.C.—17. Lieut. L. M. McLeod, 34th or Chicacole L.I., for health.—Lieut. A. Trotter, 35th N.I., for health.—Lieut. Col. J. Hackett, 40th N.I. (via Bombay).—24. Capt. E. A. McCurdy, 27th N.I.—Ens. J. Christie, 31st N.I., for health (to proceed from Bombay).—28. Lieut. Col. G. M. Stewart, 28th N.I., for health.—31. Capt. Jas. Bell, 28th N.I., for health.—Nov. 4. Assist. Surg. W. Poole, for health.—14. Lieut. Col. J. Welsh, commanding Doonab field force.—Lieut. H. Wright, 51st N.I., for health.—18. Capt. V. Mathias, 14th N.I.—28. Lieut. Jas. Dickson, 50th N.I., for health.—Dec. 2. Assist. Surg. A. Millengen, for health.—Lieut. G. A. Baillie, 52d N.I., for health (to proceed from Bombay).—5. Lieut. D. M. Macleod, 50th N.I., for health (via Bombay).

To Sena.—Oct. 28. Lieut. and Adj. J. Gordon, 24th N.I., for six months, for health.

To Bombay.—Oct. 28. Ens. Wm. Ritchie, 44th N.I., for six months, on private affairs.

To Calcutta.—Nov. 7. Assist. Surg. C. Wilkinson, until 20th Jan. 1829, on private affairs.—14. Lieut. A. Douglas, deputy assist. com. gen. in northern division, for three months, on ditto.

Cancelled.—Lieut. and Adj. Jas. Grant, 5th L.C., to Calcutta.

## LAW.

### SUPREME COURT.

The *Madras Courier* contains the following meagre account of some "very interesting proceedings" in this court on the 23d and 24th October, which, it is added, "produced a very crowded audience."

The first was in a case of a writ of *habeas corpus* which had issued, directed to Colonel Pearce, requiring him to produce the body of Charles Maitland, an assistant apothecary in the army, who was about to be tried by a court-martial. The return made to the writ was deemed a satisfactory one by the court, and the prisoner was remanded to the custody of the military guard which had escorted him to the court-house. The same question, it will be recollected, was agitated by the same



same person in the Recorder's Court at Penang.\*

Some ulterior proceedings in the case of this individual are reported more at length.

Maitland, it appears, was arrested for debt by a *capias*, upon an ordinary affidavit. The consequence of this was, that he was taken out of military custody.

On the 7th November the Advocate-general moved Mr. Justice Comyn, in chambers, to discharge Maitland, on the ground that the arrest had been collusive. He supported his application by an affidavit of Major Hitchens, deputy adjutant-general, stating, amongst other things, that Maitland was in the military service of the Company, and subject to martial law, and that he believed the arrest to have been obtained collusively to deprive the Company of his services. A letter was annexed to the affidavit in Maitland's hand-writing, addressed to the Adjutant-general, dated the same morning, and stating that he had been decoyed from Poonamallee into the neighbourhood of Madras, and there arrested. From this the Advocate-general argued that the affidavit of debt sworn two days before, and which alleged that he was an inhabitant of Madras, and therefore subject to the jurisdiction, was false.

The learned judge granted the order; Maitland was forthwith discharged, and was tried by a court-martial for desertion.

On the 14th November, an application was made to the same judge, in chambers, on the part of an individual named Alins, to discharge the order, on the ground that it was obtained without notice to the other party, and not at the instance of the defendant. The application was grounded on the 55th sec. of 4 Geo. IV. c. 4. The party had been released at the suit of third parties, without bail given. The court had not authority in this summary way to discharge a person to the prejudice of third parties. The affidavit being positive for debt, the court had not power to receive a contradictory affidavit.

Mr. Justice Comyn.—"I am clear that this application must be refused. The *capias* was one of the grossest attempts to make use of the process of this court I ever witnessed. The act gives one or more judge or judges power to discharge the prisoner by examining the parties or otherwise. On my being satisfied, I made the order. The defendant was arrested under the Mutiny Act. I am perfectly satisfied that he has been serving the army. Had I allowed myself to be influenced by what I have heard out of court, I should not have granted the *capias* in the first instance. The motion must be refused. The Act of Parliament goes on

to say that no person shall be damnified; but I never saw so scandalous an attempt to get rid of this Act of Parliament. I do not care who is or who is not satisfied; I am satisfied in doing my duty."

The following day an application was made to the same learned judge for a writ of prohibition against carrying the sentence of the court-martial which sat on Maitland into execution, which was refused.

On the 21st another application was made to the Chief Justice, Sir Ralph Palmer, sitting in chambers, for a *capias* to issue against Maitland, at the suit of one Vencatasawmy, on an affidavit swearing the debt to be 700 rupees.

Chief Justice.—"If this is the same person that Sir Robert Comyn decided not to be within the jurisdiction of this court, I will not grant the *capias*; we are not bound here to grant a *capias* in all cases, as in England; by arresting persons in a military situation, and who are receiving pay, you put yourself in a worse situation; for when in prison they have not the means of paying their debts. I will not grant a *capias* to arrest a military person, unless a previous application has been made to one of the superior officers, excepting in cases of emergency, such as their going to sea. You may here take a rule *nisi* for a *capias*; but if it turns out to be the same person, I will not grant the *capias*, and will make the attorney or the plaintiff pay the costs as I think fit."

A rule *nisi* for a *capias* was granted; cause to be shewn on the 28th, and the rule to be served on Maitland, and one or more of his superior officers.

On the 28th the Advocate-general moved the Chief Justice, in chambers, to discharge the rule *nisi*, no motion having been made on the part of the plaintiff to enlarge the rule or make it absolute. He appeared on behalf of the superior officers, on behalf of the Government which must represent the superior officers, and he moved its discharge with costs. Notice of the motion had been given to the plaintiff. The Advocate adverted to the two contradictory affidavits which had been made in the case of this individual, one for the *capias*, that he was within the jurisdiction; the other, for the prohibition, that he was not.

The Chief Justice said, that the party, having thought proper to take out the rule, should move to enlarge, or to make it absolute, or discharge it; as he did not do either the one or the other, the other party has a right to have it discharged. It must be discharged with costs, not against the attorney, but against the party applying, who was present when the rule was moved for, and understood the condition.

The *Courier* says: "We understand the rule could not be served because the defendant

\* See the particulars, p. 226.

sendant had been 'marched up the country.'

The next case referred to in the *Madras Courier* is that of Mr. Baber, the first judge in the western division, which occurred in the provincial court of Tellicherry, and was removed by *certiorari* into the supreme court of judicature at the presidency. We are informed that the judges confirmed the judgment of the court below; but we are not told the question at issue, or even the nature of the case.

### MISCELLANEOUS.

#### REWARD TO A NATIVE OFFICER.

The Government, in a general order dated 18th October, announced its intention of conferring a further mark of approbation on Subidar Major Mahomed Ghous (in addition to the rewards already assigned him, for his long, zealous, and faithful services\*), by granting him the privilege of using the *nobut* in the Company's territories, together with the honorary symbols of that privilege, and its appropriate establishment. The title inscribed upon the nobut, by which the Subidar Major is to be henceforward known, is Mahomed Ghous Khan Behadur Shumshire Jung. The order concludes with stating, that "the Right Hon. the Governor in Council has the gratification to feel, that in doing this act of justice to Subidar Major Mahomed Ghous Khan Behadur Shumshire Jung, he gives to the whole of the native officers of the Company's army an additional pledge of the Hon. Company's disposition to reward their distinguished services in the field, and their general good conduct, in the manner most gratifying to their feelings."

On the 22d October the ceremony of conferring the nobut took place, at the Government Gardens. The Governor's body guard, with the garrison band, the Commander-in-chief's escort, and a considerable body of troops, European and native, under the command of Lieut. Col. Oglander, H.M.'s 26th regt., attended. The Governor, accompanied by the Commander-in-chief, and the other members of council, the general staff of the army, &c., and in presence of a splendid assembly, in the hall of the banquetting room (crowds of natives occupying the grounds, bridge, and opposite bank of the river), proceeded to the terrace in front of the banquetting room, when the Subidar Major was conducted by Mr. Clive, the chief secretary, and Major Harris, the town major, through the square of troops, and up the stairs of the grand entrance, to the Governor, who rose to receive him, and, advancing a few paces, addressed him nearly in the following words:

\* See *Asiat. Journ.*, vol. . .

"Mahomed Ghous: it is very gratifying to me to see you on an occasion when you are to receive a further recognition of your long and faithful services to the Company, supported by a Clive and a Harris; the first name so dear to the native army of India, and the last that of the noble lord under whose immediate eye your first gallant exploit was achieved. With the cordial assent of my honourable colleagues near me, it has been determined to comply with your long and earnest desire for the privilege of beating the nobut in the Company's territories; and it will be gratifying to you to know, that the honour thus conferred upon you is as much in accordance with the feelings of the Governor-general, as with the kind intentions which my distinguished and lamented predecessor had towards you. As I think, however, that you will understand the feelings in which this grant is made to you by the Government better if they are clothed in your own language, I will read to you the translation of the General Order to be published on this occasion to the army."

Mr. Lushington then read the General Order in Persian, a language rendered more familiar to Mahomed Ghous from his residence with Sir J. Malcolm in Persia.

Two small silver drums, the insignia of the honour, richly ornamented with scarlet velvet and gold fringe, were then handed to the chief secretary and the town major, by whom they were placed on the shoulders of Mahomed Ghous, and in that position were gently tapped two or three times by the Governor and the Commander-in-chief with silver drum-sticks prepared for the occasion: an honorary dress was next brought by an attendant on silver salvers, and delivered to Mahomed Ghous by the Governor; and then a medal, with an appropriate inscription, was by the Commander-in-chief placed on the neck of the Subidar. The bands then struck up a martial air, and the Governor, Commander-in-chief, members of council, and others, shook hands with Mahomed Ghous, congratulating him on the occasion. The gallant veteran also received the additional gratification of a salutation in the eastern style from Major Gen. Sir John Doveton, with whom he had served in several campaigns against the enemy. A *feu-de-joie* was then fired, and the Subidar having descended the steps and mounted a superbly caparisoned horse, rode a short distance round and amongst the assembled crowds, and then returned and placed himself in the centre of the square, while the troops marched past and saluted the Governor.

Mahomed Ghous then moved homeward, followed by thousands of his countrymen; and thus ended this brilliant and interesting ceremony, on the first occasion of conferring the nobut.

In the evening the Governor gave a grand dinner on the occasion at the Government-house.

This native veteran had served forty-seven years in the army of the Company. The first distinguished instance of his prompt and steady gallantry was in defending the person of Lord Cornwallis, in the war of 1791. His firm attachment to the Government was conspicuous in the active part which he took in 1806; and he has since continued to perform all the duties of a gallant, obedient, and faithful soldier.

#### ALLEGED DEFALCATION.

We understand that a case of considerable public importance has recently been decided at Madras, of which we find no mention in the papers of that presidency. Mr. Rous Peter, of the civil service, who died some months ago we believe, while in the offices of judge and magistrate of Madras, had, it is now discovered after his death, abstracted a very large sum of the Company's money: report states six or eight lacs of rupees. The Company advanced claims against the assets of the estate, and the question at issue was, whether they could take priority over the bond creditors at Madras. It was decided in the negative.—*Beng. Chron.*, Nov. 6.

#### LAUDABLE SOCIETY.

The determination of the Calcutta Laudable Society to exclude insurances on lives of persons resident within the territories of Madras and Bombay presidencies, led to a general meeting of persons interested in the subject at this presidency, which took place on the 14th November, J. W. Dare, Esq. in the chair, when it was agreed that a society should be formed, on the principles of the Bengal Laudable Society, to provide a fund for the insurance of lives. A number of regulations were adopted; the first society was to commence on the 1st January 1829, and close at midnight of the 31st December 1831, when a new society is to be formed.

#### NEW ROAD.

Symptoms of the new road on the south beach are apparent; which, when completed, cannot fail to add to the various improvements of the environs of Madras have undergone of late, and will undoubtedly afford a delightfully cool drive on the south side of the fort, as well as the north beach, the present fashionable evening resort of beauty and fashion. The inhabitants of Madras ought to feel deeply grateful for that paternal care, which has not only removed the cause of much sickness, by clearing away the insalubrious jungles on the sides of the roads, but is about to add to their comfort by allowing them a public promenade, to which they may re-

sort without exhaling the unpleasant effluvia of the Black Town.—*Mad. Gov. Gaz.*, Nov. 20.

#### M. BELANGER.

Mons. Belanger, naturalist and superintendent of the Royal Botanical Garden at Pondicherry, embarked from that port on Saturday last, on board of the French ship *La Danaë*. He is proceeding to France for the recovery of his health. M. Belanger carries with him various curiosities, and an extensive collection of rarities connected with natural history. He formed a botanical garden at Pondicherry, where he amassed nearly 2,000 species of different vegetables and plants from the various countries he had explored. In quitting India, M. Belanger has requested us publicly to express his sense of gratitude, for the kind and favourable reception he has met with from the governments of the three presidencies, who have afforded to him every possible facility during his travels, to which kindness he owes the success he has obtained; and to state, that he will ever hold the attention he has received from his friends in his memory with regard and esteem.—*Ibid.*, Oct. 23.

#### SEA SNAKES.

We understand that the venomous sea snakes which infested the rivers and backwaters in the neighbourhood of Madras in the year 1818 have again made their appearance. Two persons are reported to have been bitten by this singular reptile whilst crossing the river near Chentadrappettah, and to have died almost immediately.—*Mad. Cour.*, Nov. 7.

#### RELIEF OF TROOPS.

The following statement of the periodical relief of corps and their new destinations will be acceptable to some of our readers.

H.M.'s 13th Dragoons from Arnee to Bangalore.

H.M.'s 40th regt. of Foot from Bombay to Belgaum.

H.M.'s 41st do. from Belgaum to Arnee.  
1st regt. L.C., from Bangalore to Sholapoor.

3d do. from Arcot to Nagpoor.

7th do. from Sholapoor to Bangalore.

8th do. from Nagpoor to Arcot.

Rifles from Nagpoor to Secunderabad.  
6th regt. N.I. from Bangalore to Quilon.

7th do. from Secunderabad to Nagpoor.

9th do. from Wallajahbad to Palaveram.

15th do. from Quilon to Bangalore.

16th do. from Vellore to Jaulnah.

19th do. from Secunderabad to Wallajahbad.

21st do. from Palaveram to Kulladghee.

23d regt. N.I. from Kulladghee to Wallajahbad.

28th do. from Trichinopoly to Jaulnah.  
 33d do. from Bangalore to Madras.  
 37th do. from Berhampore to Nagpore.  
 38th do. from Masulipatam to Berhampore.  
 40th do. from Jaulnah to Trichinopoly.  
 43d do. from Wallajahbad to Secunderabad.  
 45th do. from Jaulnah to Kolapore.  
 48th do. from Nagpore to Vellore.  
 49th do. from Kolapore to Masulipatam.—*Mad. Gov. Gaz.*, Dec. 18.

## GAETIES.

This festive season promises to vie in gaiety with any former year in the memory of the oldest residents at Madras: parties of every description, balls, concerts, &c. have not only followed each other in almost daily succession, but we understand that entertainments on the most magnificent scale are immediately to follow. On Monday the 29th inst. a gallant bachelor, well known for his hospitality, proposes to entertain Lady Walker and a select party of *distingués* with a splendid fête. The new year will be opened by an entertainment at the Government-house, we hear, with more than usual splendour, from the number of cards that have been issued on the occasion. A play, we observe, is in contemplation by the amateurs of the drama for the amusement of the society. Twelfth-day will be celebrated by a fancy ball, with masks, at the residence of a worthy and highly esteemed counsellor; these are to be followed by other amusements equally delightful and equally various.—*Mad. Gov. Gaz.*, Dec. 25.

## COMMISSION TO CALCUTTA.

The ship *John Munro* will sail in a day or two for Calcutta, and we understand George Russell, Esq., and Lieut.col. Conway, C.B., who have been appointed commissioners on a peculiar service, will go round to Bengal in this vessel.—*Mad. Cour.*, Nov. 25.

## SHIPPING.

## Arrivals.

Oct. 21. *Anacharsis*, Bernard, from Bombay and Pondicherry.—Nov. 4. *Halquiere Stattenberg*, Charles, from Bordeaux.—21. *John Munro*, Roe, from Trincomallee.—20. *Aurora*, Owen, from London and Cape.—Dec. 4. *Fairlie*, Fuller, from London and Cape.—11. *Carnbee Castle*, Davey, from Calcutta.—14. *Medina*, Mordant, from Calcutta.—18. *Boyne*, Pope, from Calcutta.—20. *Rosburgh Castle*, Denney, from Calcutta; and *Jean Henri*, Boudon, from Bordeaux.—21. *Lord Amherst*, Edwards, from Bombay; and *La Belle Alliance*, Francis, from Mauritius.—25. *Belzoni*, Talbert, from Calcutta; *Providence*, Ford, from ditto; and *Louisa*, Mackay, from ditto.

## Departures.

Oct. 20. *Henriette*, Destangue, for Calcutta.—Nov. 4. *Anacharsis*, Bernard, for Pondicherry and Bourbon.—5. *Halquiere Stattenberg*, Charles, for Calcutta.—29. *Aurora*, Owen, for Calcutta; and *John Munro*, Roe, for ditto.—Dec. 21. *Medina*, Mordant, for Bourbon and London.—23. *Boyne*, Pope, for London; and *Rosburgh Castle*, Denney, for ditto.—28. *Belzoni*, Talbert, for Mauritius; and *Providence*, Ford, for London.—Jan. 1. *Carnbee Castle*, Davey, for London.

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## BIRTHS.

Aug. 23. At Moulmein (Tenasserim coast), the lady of Lieut. J. F. Musgrave, 30th Madras N.I., of a daughter.

Sept. 13. At Bellary, Mrs. Chas. Sharlieb, of a son.

17. At Moulmein, the lady of Dr. Browne, H. M.'s 45th regt., of a daughter.

24. At Masulipatam, the lady of Thos. O'Neill, Esq., assist. surg. 30th N.I., of a son.

Oct. 3. At Vellore, the lady of Lieut. A. Mackenzie, 5th N.I., of a daughter.

4. At Palamcottah, Mrs. Adels, of a son.

5. At Secunderabad, the lady of Lieut. Sibley, H. M.'s 40th regt., of a son and heir.

At Cochin, the lady of Capt. Thos. Cox, of the commissariat, of a son.

10. At Trevandrum, the lady Lieut. H. A. Bishop, 15th N.I., of twin daughters.

13. At Madras, the lady of A. J. Cherry, Esq., of a son.

14. At Bangalore, Mrs. M. M'Intyre, of a daughter.

15. At Cannanore, the lady of Capt. H. C. Cotton, engineers, of a daughter.

19. At Madras, the lady of Capt. D. Allen, commanding Nellore, of a daughter.

20. At Vizagapatam, the lady of Capt. J. B. Ardagh, deputy judge adv. gen., of a daughter.

21. At Bangalore, the lady of Capt. F. Stratton, 8th L.C., of a son.

22. At Cannanore, the wife of Capt. Walch, 54th Foot, of a son.

23. At Madras, the lady of Daniel Elliott, Esq., of a daughter.

— At Madras, the wife of Mr. L. Helmick, Medical Store department, of a daughter.

24. At Kamptee, the lady of W. P. Macdonald, Esq., 41st Madras N.I., of a daughter.

25. At Madras, Mrs. P. Decelles, of a daughter.

26. At Calicut, the lady of Capt. Arthur Haultain, 17th N.I., of a son.

28. At Bangalore, the wife of Troop Qu. Mast. Thos. Avery, 1st brig. Horse Artillery, of a son.

29. At Bellary, Mrs. Col. Fraser, of a daughter.

Nov. 1. At Trichinopoly, the lady of E. H. Woodcock, Esq., civil service, of a son.

2. At Madras, the lady of Capt. Moberly, deputy secretary Military Board, of a son.

— At Madras, Mrs. Wm. Stuart, of a son.

4. At Masulipatam, the lady of Lieut. Col. Kenney, 34th regt., of a daughter.

— At Mayaverun, Mrs. Barenbruck, of a son.

5. At Hyderabad, the lady of Capt. Carleton, commanding Resident's escort, of a daughter.

7. At Bangalore, the lady of Capt. Purton, engineers, of a daughter.

10. At Trichinopoly, the lady of Capt. John Fulton, dep. assist. qu. mast. gen. southern division, of a son.

13. At Bellary, the lady of Lieut. J. R. Sayers, paymast. qu. mast., and interp. 5th N.I., of a son, still born.

— At Bellary, the lady of H. T. Bushby, Esq., civil service, of a son.

16. On board the *Ernaad*, off Cannanore, the lady of Lieut. C. Burlton, H. M.'s 41st regt., of a daughter.

17. At Salem, the lady of Dr. Fasken, of a daughter.

— At Vizagapatam, the lady of Capt. Jones, deputy assist. adj. gen., of a son.

18. At Bangalore, the wife of Mr. John Roggie, of a son.

19. At Madras, the lady of J. Henderson, Esq., surgeon H. M.'s 80th regt., of a son.

— At Madras, Mrs. D. Kerr, of the Vepery Academy, of a son.

20. At Ellore, the lady of Capt. Kyd, commanding 2d Extra Regt., of a son.

— At Kamptee, near Nagpore, the lady of Capt. Bentley, paymaster Nagpore Subsidiary Force, of a son.

22. At Bangalore, the lady of Lieut. G. S. Wilkinson, 39th N.I., of a son.

— At Madras, the lady of the Rev. Alex. Webster, senior minister of the Scotch Church, of a son.

27. In Fort St. George, the lady of Capt. I. C. Pharoah, of a son.

Dec. 2. At Madras, the wife of Mr. J. B. Pharoah, of a son.

3. At Vellore, the lady of Lieut. Peter Pope, 24th N.I., of a daughter.

4. At Palamanair, the lady of Chas. Roberts, Esq., civil service, of a son.

4 M.

13. At

13. At Pursewankum, Mrs. Taylor, of a daughter.
14. At Madras, the lady of the Rev. Dr. Roy, senior chaplain, of a daughter.
15. At Coimbatore, the lady of G. S. Hooper, Esq., civil service, of a son.
16. At Madras, the lady of W. C. Stirling, Esq., of a son.
17. At Madras, the lady of Major Sydney Cotton, of a son.
18. At Poonamallee, the lady of Dr. Campbell, assist. surg., in medical charge of the garrison, of her fourth daughter.

## MARRIAGES.

- Sept. 30. At Madras, Mr. G. A. Taylor, to Mary Matilda, eldest daughter of the late Mr. W. Tapsall.
- At Madras, Mr. R. P. Dalgairns, to Charlotte Emilla, second daughter of the late Mr. W. Tapsall.
14. At Secunderabad, Mr. J. R. De Souza, to Miss M. E. White, only daughter of Mr. F. W. White.
- At Madras, Mr. R. C. Hart, to Miss Charlotte Forbes.
- Nov. 1. At Madras, Mr. John Maddox, to Miss Mary Ritchie.
5. At Madras, Mr. R. W. Thorpe, to Miss Jane Elizabeth Bredin.
6. At Madras, C. A. Kerr, Esq., 3d Madras L.C., to Miss Margaret Seymour.
19. At Quilon, Lieut. John Ross, 15th N.L., to Harriet Annette, youngest daughter of Col. Daly.
- At Cuddalore, Mr. E. C. Griffiths, to Mary, eldest daughter of R. W. Norfor, Esq.
20. At Fort St. George, Major Scott, 29th N.L., to Miss Clementina Shaw.
- Dec. 11. At Cuddalore, Capt. Thos. Locke, 2d N. V. B., to Miss J. Woodschow.
15. At Masulipatam, Lieut. T. A. Duke, 2d Europ. Regt. (son of the late Lieut. Col. C. Duke, H.M.'s service), to Emma, eldest daughter of Major W. B. Spry, 41st M.N.I.
16. At Madras, Mr. J. H. Court, to Miss Maria Dossey.

## DEATHS.

- Aug. 15. At Moulmein, Mr. J. C. Durnford, commander and owner of the brig *Highland Lass*.
- Sept. 9. At Dindigul, Major J. Lamb, 4th Nat. Vet. Bat., commanding that station.
27. At Anantapore, Capt. W. Scott, 42d regt. N.I.
28. At the village of Oomrah, near Hingolee, Capt. E. H. Raymond, 8th Madras L.C.
29. At Madras, Harriet, wife of James Dalma-hoy, Esq., and daughter of the Rev. Dr. Laurie, minister of Loudon, Ayrshire.
- At Chepauk, Mrs. Mary De Croose, only sister of Mr. J. and P. Andersons, aged 23.
- Oct. 5. At Kaladghee, Capt. W. Babington, 6th L.C., eldest son of Dr. W. Babington, of Aldermbury, London.
7. At Tanjore, James Wyse, Esq., superintending surgeon Southern Division of the Army, after a service of seven and twenty years, aged 52.
8. At Mangalore, Mr. Joseph Leal, head clerk in the Sea Custom department under the principal collector of Canara, aged 27.
10. At Madras, Mr. Hosannah Carraplett, aged 65.
11. At Madras, Mrs. Elizabeth De Viet, sister of Mrs. Catherine Phillips.
17. At Madras, Barbara, wife of Alex. Johnston, Esq., of the medical service of this establishment, and daughter of the late Col. Macleod, of Achagoyle, Argyleshire.
18. By the bite of a snake, at the village of Noomble, near Poonamallee, Master Nazar, son of Stephen Nazar, Esq., aged 8 years.
20. At Madras, the Rev. D. S. Dias, in his 28th year.
21. At Pursewauk, Mr. Gilbert Browne, aged 35.
- At Madras, of spasmodic cholera, Mr. Francis Magry; and on the 25th, his widow, Perpetua Diamantins, third daughter of the late Mr. M. A. Rodrigues, of Tellicherry.
28. Of cholera, near Palamcottah, Ens. Wm. Marlay, 3d Lt. Inf.
- At Nagapatam, Caroline Elizabeth, only sur-

viving child of the late Mr. R. M. Malbon, aged 9 years.

30. At Kulladghee, Lieut. Thos. Setree, 23d regt. or W. L. I.
- Nov. 6. At Masulipatam, Capt. Benj. Hooper, 1st Europ. regt.
7. At Madras, Mr. G. C. Gager, aged 34.
23. At Cochlin, Maria Eliza Wilhelmna, wife of S. J. Thompson, Esq., aged 28.
24. At Pondicherry, J. D. N. Boutet, Esq., in his 74th year.
25. At Chicacole, Lieut. W. T. Furlonge, 34th Lt. Inf.
26. At Vepery Barracks, of cholera, Lieut. A. B. Johnston, 46th N.I., aged 20.
- Dec. 3. At Madras, Mr. Jacob Isaacs, an Armenian inhabitant of Madras.
- At Royapettah, Lydia Ann, wife of Mr. Thos. Rodrigues, clerk in the Commander-in-chief's office, aged 29.
4. At Madras, Mr. James Manfield, aged 21.
7. At Cochlin, Sarah Eliza Maria, second daughter of Capt. Lethbridge, 22d N.I.
8. At Madras, of cholera, Mrs. M. Theodores.
26. At Wallajahabad, of cholera, Capt. Wm. Mann, 11.M.'s 30th Foot.
- Lastly*, After leaving Cannanore for Europe, Mrs. Grant, wife of Lieut. Col. Colquhoun Grant, 11.M.'s 54th regt.

## Bombay.

GOVERNMENT ORDERS,  
PROCLAMATIONS, &c.

## ZILLAH OF KAIRA.

*Bombay Castle, Sept. 23, 1828.*—*Judicial Department.*—Whereas the Hon. the Governor in Council having determined to abolish the Kaira or eastern Zillah north of the Myhee, under the powers vested in him by clause 2d, sec. xvi, Regulation II., A.D. 1827, hereby proclaims that the same shall take place on the 1st day of November next, and that from and after the said 1st day of November next, so much of the territory now composing the zillah of Kaira as may be situated to the north of the river Myhee shall be annexed to the zillah of Ahmedabad, and so much of the said territory as may be situated to the south of the river Myhee shall be annexed to the zillah of Surat.

COURTS OF SUDDER DEWANEE AND SUDDER  
FOUDJARY ADALWUT AT SURAT.

*Bombay Castle, Sept. 26, 1828.*—*Judicial Department.*—Whereas the Hon. the Governor in Council having determined to change the seat of the courts of Sudder Dewanee and Suddur Foudjary Adawlut now stationed at Surat, and to remove these courts to the presidency of Bombay, under the powers vested in him by clause 1st, section i. Regulation II., A.D. 1827, hereby proclaims that the same shall take place on the 1st day of November next, and that from and after the said date the said courts of Sudder Dewanee and Suddur Foudjary Adawlut shall hold their sittings at the presidency, and otherwise exercise all other judicial powers vested in them by the Regulations enacted for their guidance.

PROVINCIAL COURTS OF APPEAL AND  
CIRCUIT FOR GUZERAT.

*Bombay Castle, Nov. 1, 1828.*—*Judicial Department.*—Agreeably to section i. of Regulation VII., and section iii. of Regulation VIII. of 1828, the Hon. the Governor in Council hereby proclaims that the seat of the Provincial Courts of Appeal and Circuit for Guzerat is fixed at Surat from this day.

FURLOUGHIS TO THE NEILGHERRY HILLS.

*Bombay Castle, Oct. 16, 1828.*—The Hon. the Governor in Council is pleased to direct that the following rules, passed in the General Department, for the accommodation of officers of this establishment proceeding to the Neilgherry Hills for the recovery of their health, be published in General Orders for the information of the army.

As the Neilgherry Hills seem likely to be a place of great resort in future by persons on this establishment in search of health, and the Hon. the Governor in Council deeming it but reasonable that every practicable accommodation should be afforded them, in regard to obtaining funds that involves little inconveniences and no risk to the departments concerned, is pleased to direct, with the consent of the government of Fort St. George, that every officer on this establishment resorting to the Neilgherries, who may require it, shall furnish himself with a certificate, to be founded on the last pay certificate, to be produced by the party for that purpose, to the civil or military auditor, as the case may be, of the monthly amount of advance, in an even sum, that he may be desirous of receiving or entitled to receive; if a military officer, from the paymaster on the hills, and if a civil servant, from the principal collector of Coimbatore, who will respectively take a receipt, in duplicate, for the same when made, and transmit one through the regular channel for adjustment at this presidency.

As a further check, the Governor in Council is pleased to direct that every officer, on leaving the hills, shall obtain, if a civil servant, from the principal collector at Coimbatore, and if a military officer, from the paymaster on the hills, an official memorandum of the several sums he may have drawn from their treasuries under the certificate in question during his stay there, to be forwarded, or produced, to the proper officer of audit under this presidency.

EXAMINATION OF JUNIOR CIVIL SERVANTS.

*Minute of Council, Oct. 30, 1828.*—The Hon. the Governor in Council has received a report from the committee appointed to examine the junior civil servants, that Mr. Wm. Warden Bell, who arrived in

India on the 1st of April 1827, and passed the first examination in Hindoostanee on the 11th of May 1827, has obtained that degree of proficiency in the Mahratta language that entitles him to promotion to the second step in any line.

The Governor in Council also is happy to find that the undermentioned gentlemen are reported to have exhibited a proficiency in the Hindoostanee language, which entitles them to "official employment," and that the acquirements of Messrs. Chambers and Dyke are very creditable to them.

Mr. J. P. Chambers, arrived in India 12th Feb. 1828.

Mr. W. H. Dyke, do. do. 1st June 1828.

Mr. Wm. Escombe, do. do. 26th Oct. 1827.

Mr. C. A. Tracey, do. do. do.

Mr. John Gordon, do. do. 1st June 1828.

Mr. John Bainbridge, do. do. 12th June 1827.

STRENGTH OF CORPS OF NATIVE CAVALRY  
AND INFANTRY.

*Bombay Castle, Dec. 9, 1828.*—The Hon. the Governor in Council is pleased to direct that the strength of the several corps of native cavalry under this presidency be fixed at fifty privates per troop, and that of the several regiments of native infantry at seventy sepoy per company. The troops and companies are to be reduced to the revised strength, not immediately by discharging the surplus men, but gradually by the ordinary process of casualty.

COURT-MARTIAL.

LIEUT. LITTLEJOHN.

*Head-Quarters, Camp, Shamdoo, Nov. 9, 1828.*—At a general court-martial holden at Bombay, on the 31st July 1828, Lieut. Jas. Littlejohn, of H.M.'s 2d or Queen's Royal regt. of Foot, was arraigned upon the following charges:

*1st Charge.*—For highly disgraceful conduct, unbefitting the character of an officer and gentleman, in the following instances:

*1st Instance.* In having, while adjutant of the regiment at Poonah, on or about the 18th of Jan. 1827, involved himself in a pecuniary transaction with Acting Quarter-Master Serjeant (now Private) William Henderson, thereby acting in a manner calculated to weaken the ties of authority and respect essential to the due preservation of military discipline.

*2d Instance.* In having borrowed from the said Acting Qu. Mast. Serj. Henderson, or accepted from him, the use of 2,000 rupees, for the purpose of applying the

the said sum to his own personal convenience and advantage.

**2d Charge.**—For highly disgraceful and scandalous conduct, unbecoming the character of an officer and gentleman, in having, in a letter addressed to the Adjutant of H.M.'s 2d or Queen's Royal regt., and dated Camp near Poonah, 24th Jan. 1828, falsely stated, with respect to certain extracts from a memorial addressed by the said Acting Qu. Mast. Serj. Henderson to his Exc. the Commander-in-chief, relating to the aforesaid pecuniary transaction, "I most solemnly declare these extracts do not contain one word of truth."

Upon which charges the court came to the following decision:

**Finding and Sentence.**—The court having maturely weighed and considered all that has been adduced in support of the prosecution, as well as what has been brought forward on the defence, are of opinion that the prisoner, Lieut. James Littlejohn, of H.M.'s 2d, or Queen's Royal regt. of Foot, is guilty of all and every part of the charges which have been preferred against him, in breach of the Articles of War in such cases made and provided; and they do, therefore, adjudge him, the said Lieut. James Littlejohn, to be cashiered.

Approved and confirmed,  
(Signed) COMBEMERE,  
General, Com.-in-chief.

The foregoing order is to be entered in the General Order-Book, and read at the head of every regiment in H.M.'s service in India.

By order of the Commander-in-chief,  
WILLOUGHBY COTTON,  
Adj. Gen. H.M.'s forces in India.

## CIVIL APPOINTMENTS.

### General Department.

Oct. 24. Mr. Patrick Scott to officiate as deputy Persian secretary to government.

### Judicial Department.

Oct. 30. Mr. E. G. Fawcett, second assistant judge and criminal judge of Surat, from 1st Nov. 1826.

Nov. 1. Mr. G. C. Wroughton, senior assistant judge and criminal judge of Surat, and to be stationed at Broach.

Mr. James Henderson, to act as puisne judge of courts of Sudder Dewannee and Sudder Foujdaree Adawlut, and as commissioner for southern Mahratta country during absence of Mr. Ironside.

### Territorial Department.

Sept. 15. Mr. R. Cathcart (of Madras civil service), second assistant to principal collector in southern Mahratta country.

Oct. 20. Mr. B. Hutt, acting first assistant to collector at Poona.

25. Mr. W. S. Boyd, acting collector and magistrate of Poona.

Mr. W. R. Morris, acting first assistant to collector and magistrate at Ahmednuggur at Nasick.

31. Mr. J. G. Lumsden, assistant to collector in Southern Concan.

Mr. W. H. Dyke, assistant to principal collector in southern Mahratta country.

Nov. 4. Mr. Henry Young, assistant to superintendent of revenue survey and assessment in Deccan.

19. Mr. Thos. Williamson to act as secretary to government in territorial and commercial departments, during absence of Mr. Secretary Bax on duty at Calcutta.

## MILITARY APPOINTMENTS, PROMOTIONS, &c.

*Bombay Castle, Sept. 6, 1828.*—*Ensigns posted to Regiments.* H. McCulloch, to 18th N.I.; J. Anderson, 17th do.; D. Davidson, 18th do.; H. Boyle, 2nd do.; A. Wardell, 4th do.; O. D. Ottley, 2d Europ. Regt.; F. Wm. Tollet, 25th N.I.; T. Spens, 17th do.; W. T. Roper, 11th do.; R. Wallace, 18th do.; H. C. Jones, 24th do.; Gordon Rippon, 21st do.; R. W. Horne, 8th do.; T. P. Macay, 3d do.; Alex. Morrison, 22d do.; J. R. Kelly, 20th do.; H. Rolland, 19th do.; R. J. Shaw, 1st Europ. Regt.; A. H. Williams, 13th N.I.; R. H. Wardell, 5th do.; Keith Jopp, 6th do.; J. C. Hartley, 12th do.; H. E. D. Jones, 2d Gr. Regt.; W. G. Wheatly, 4th N.I.; W. R. Annesley, 15th do.; J. B. Seton, 2d Europ. Regt.; J. M. Brown, 1st Gr. Regt.; Wm. Rose, 26th N.I.; Chas. Lodge, 25th do.; F. C. Wells, 17th do.; H. W. Evans, 9th do.; T. R. Prendergast, 10th do.; G. H. Bainbridge, 6th do.; Thos. Willmott, 14th do.; A. J. A. Bromwich, 23d do.; Robt. Hodgson, 7th do.; Thos. Minster, 11th do.; C. Wm. Maude, 18th do.; Fred. Jackson, 24th do.; Wm. G. McHaffie, 21st do.

Assist. Surg. A. M. Lyons app. to medical charge of H.C.'s sloop of war *Elphinstone*.

Sept. 11.—*Temporary Appointments confirmed.* Lieut. and Adj. W. T. Whittle to officiate as qu. mast. and interp. to Golundauze bat. from date of departure of Lieut. Clather to sea on sick certificate.—Lieut. W. Laing, 21st N.I., to act as interp. to 3d L.C. during absence of Lieut. Delamain on leave at presidency.—Lieut. H. Aston to perform duties of interp. to 12th regt.

Cadet of Artillery John Jacob admitted on establishment, and prom. to 2d-lieut.

Cadets of Infantry C. Cunningham, P. W. Clark, G. T. Fenwick, A. H. O. Matthews, and H. W. Preedy, admitted on establishment, and prom. to ensigns.

Mr. Patrick Stuart admitted on establishment as an assist. surg.

Ens. Francis Jackson posted to 2d Europ. Regt. Sept. 18.—*Infantry.* Sen. Maj. G. Tweedy to be lieut.-col., v. Taylor dec.; dated 11th Sept. 1828.

8th N.I. Capt. G. Arden to be major, Lieut. W. J. Browne to be capt., and Ens. C. A. Hawkins to be lieut., in suc. to Tweedy prom.; dated ditto ditto.

Sen. Supernum. Ens. M. Wyllie, posted to 8th N.I., v. Hawkins prom.

Capt. W. J. Brown, 8th N.I., to act as brigade major in northern districts of Guzerat.

Lieut. J. M. Short, 13th N.I., to be line adj. at Deesa, v. Browne prom. to a company.

Ens. J. C. Hartly, 12th N.I., and Ens. H. E. D. Jones, 2d Gr. Regt., permitted, at their own request, to exchange regiments.

Oct. 17.—Major J. Napier, 24th N.I., at his own request, transferred to Invalid estab.

Assist. Surg. Patrick Stuart app. to medical charge of H.C.'s brig *Euphrates*.

Oct. 23.—1st Europ. Inf. Ens. J. M. Mitchell to be interp. in Hindoostanee language; dated 15th Oct. 1828.

11th N.I. Ens. J. P. Major to be interp. in Hindoostanee language; dated ditto.

12th N.I. Lieut. C. F. Lawrie to be qu. mast. and interp. in Hindoostanee language; dated ditto.

23d N.I. Lieut. J. Liddell to be qu. mast. and interp. in Hindoostanee language; dated ditto.

Oct. 27.—24th N.I. Capt. J. Barclay to be major, Lieut. G. Moore to be capt., and Ens. F. N. Vallant to be lieut., in suc. to J. P. Napier invalided; dated 18th Oct. 1828.

Sen.

Sen. Supernum. Ens. H. Cunningham posted to 24th N.I., v. Vaillant prom.

Oct. 31.—Lieut. Berthon, corps of engineers, app. assistant to executive engineer at Poona.

Lieut. Grant, engineers, app. to situation of assistant to engineer superintending erection of mint, from 1st Nov.

Nov. 4.—Lieut. W. Lang, 21st N.I., to be aide-de-camp to Hon. the Governor.

Nov. 6.—Lieut. C. Clarke, 21st N.I., in charge of coal mines in Cutch, placed at disposal of Com.-in-chief for regimental duty.

Surg. V. C. Kembal app. to charge of Europ. General Hospital at presidency.

Assist. Surg. J. Dow app. vaccinator to north-east division of Guzerat, v. Love dec.

Nov. 11.—Assist. Surg. G. J. Griffiths, permitted, at his own request, to resign service of Hon. Company.

Maj. J. Shirreff, 2d Europ. regt., directed to assume command of brigade at Deesa on departure of Lieut. Col. Litchfield from station.

Capt. C. Crawley, brigade major in Cutch, directed to take charge of deputy assist. qu. mast. general's office, from date of departure of Lieut. Burns for presidency.

Lieut. and Adj. C. W. Wenn to act as qu. mast. of marine bat. during absence of Lieut. Forster on sick certificate.

Lieut. T. Maughan to act as adj. of 12th N.I. during absence of Lieut. Hughes on leave at Poona.

Assist. Surg. B. P. Rooke to act as deputy medical storekeeper at Bhooj during absence of Assist. Surg. Scott.

Nov. 12.—Cadets of Infantry R. Dennis, W. Robertson, R. T. B. Boye, and J. H. B. Mitchell, admitted on estab. and prom. to ensigns.

Nov. 13.—Capt. G. P. Le Messurier directed to be considered a 3d assistant com. gen. from 1st Nov., instead of acting 3d assist., as formerly denominated.

Nov. 15.—Infantry. Sen. Maj. D. H. Bellasis to be lieut. col., v. Maw dec.; dated 13th Nov. 1829.

3d N.I. Capt. C. B. James to be major, Lieut. R. Payne to be capt., and Ens. A. Morison to be lieut., in suc. to Bellasis prom.; dated 13th Nov. 1829.

Sen. Supernum. Ens. Jas. Hill posted to 3d N.I., v. Morison prom.

Nov. 18.—Assist. Surg. J. Murray nominated to medical charge of detachment of 17th Madras L.C., of escort with Hon. the Gov. from 1st Nov.

Nov. 27.—1st L.C. Lieut. R. D. McKenzie to be adj., v. Poole removed from situation; dated 8th Nov. 1829.

17th N.I. Lieut. G. H. Leaviss to be adj. to fill vacancy; dated 18th Nov. 1829.

21st N.I. Lieut. G. N. Prior to be qu. mast. and interp. in Hindoostanee language, v. Lang app. an aide-de-camp to Hon. the Governor; dated 4th Nov. 1829.

Nov. 23.—12th N.I. Capt. J. H. Dunsterville to be major, Lieut. W. H. Jackson to be capt., and Ens. W. J. Eastwick to be lieut., in suc. to Graham cashiered by sentence of a general court-martial; dated 21st Nov. 1828.

Sen. Supernum. Ens. R. Travers posted to 12th N.I., v. Eastwick prom.

2d Extra Bat. Lieut. A. F. Bartlett, 26th N.I., to be adj., v. Jackson prom.; dated 21st Nov. 1828.

Dec. 1.—Temporary Appointments confirmed. Lieut. Col. G. Litchfield, 3d L.C., to assume command of Guicawar Subsidiary Force, and Capt. R. W. Gillum, of troop at Baroda, as senior officer at that station, from date of departure of Lieut. Col. Salter on leave to presidency.—Capt. G. Penley, 16th N.I., to act as superintendent of bazars at Baroda for Capt. Gillum.—Lieut. J. Cooper, 7th N.I. (attached to 2d Europ. Inf.), to act as line adj. at Deesa from departure of Capt. Brown until arrival of Lieut. Shortt at station.—Lieut. T. Thatcher, 6th N.I., to act as adj. during absence of Lieut. Macan on duty at Poona.—Lieut. B. Crispin, 16th regt., to officiate as interp. to 5th N.I. during absence of Lieut. Bagshawe on sick certificate at Bombay.—Cornet C. J. Owen

to be acting adj. to right wing of 1st L.C. at Hursale.

Lieut. J. Holland, 21st N.I., to act as deputy assist. qu. mast. gen. to Cutch subsidized force during absence of Lieut. Burnes on duty at presidency.

Mr. L. M. Rogers admitted on establishment as a veterinary surgeon.

Dec. 4.—Lieut. R. Warden, regt. of artillery, app. to act as aide-de-camp to Maj. Gen. Sir Lionel Smith from date of Lieut. Knox's embarkation for Europe.

Dec. 6.—Capt. Gibson, commissary of stores with Malwa field force, directed to act as paymas. during absence of Capt. Morris.

Lieut. Col. J. Salter, commandant of 5th N.I., permitted to resign command of Guicawar subsidiary force, and to return to Europe on sick certificate.

Cadet of Infantry E. C. Burt admitted on establishment, and prom. to ensign.

Mr. John Daly admitted on establishment as an assist. surgeon.

Dec. 9.—Maj. T. Dickinson, of engineers, app. to act as commissary general from date of Lieut. Col. Frederick's departure to Calcutta on duty.

Dec. 10.—Mr. Acting Secretary Gardiner to perform duties of secretary to government in military department until further orders.

Returned to duty from Europe. Surg. V. C. Kembal.—Capt. T. H. Billamore, 1st of Gr. N.I.—Lieut. J. K. Gloag, 2d of Gr. N.I.—Lieut. Col. Com. B. Kennet, 23d N.I.—Lieut. T. Brown, 11th N.I.—Capt. J. T. Osborne, 1st Europ. regt.—Ens. F. Mayor, 6th N.I.

## MARINE PROMOTIONS &c.

Bombay Castle, Sept. 22, 1829.—The Hon. the Governor in Council has been pleased to make the following promotions, which will complete the adjustment of rank previous to the receipt of the regulations from the Hon. Court of Directors, relative to the marine branch of the service:—

Sen. Midshipman J. P. Porter to be 2d-lieut., restored by Hon. Court; date of com. 11th March 1827.

1st-Lieut. W. Gwilt to be junior capt., 2d-Lieut. T. E. Rogers to be 1st-lieut., and Sen. Midshipman H. W. Whitlock to be 2d-lieut., in suc. to Jun. Capt. R. G. Goodridge dismissed; all dated 27th March 1827.

1st-Lieut. H. Wyndham to be junior capt., 2d-Lieut. Geo. Laughton to be 1st-lieut., and Sen. Midshipman S. Newnham to be 2d-lieut., in suc. to Capt. T. R. Terrell pensioned; all dated 2d Sept. 1827.

2d-Lieut. E. R. Squires to be 1st-lieut., and Sen. Midshipman H. N. Poole to be 2d-lieut., in suc. to Lieut. W. E. Rogers dec.; both dated 21st Feb. 1829.

2d-Lieut. W. C. Clarke to be 1st-lieut., and Sen. Midshipman Wm. Howater to be 2d-lieut., in suc. to Jun. Capt. W. Gwilt pensioned; both dated 31st May 1829.

Sept. 25.—Capt. Rich. Morgan app. to succeed present master attendant and inspector of port, and to be second member of Marine Board.

Capt. Wm. Graham to be general agent for transports and boat-master, and third member of Marine Board.

Capt. Geo. Grant to be sen. officer at Surat, and agent to government for raising lascars for H.C.'s marine at Gogo or other ports.

## FURLOUGHS.

To Europe.—Sept. 15. Lieut. R. Mignan, 1st Europ. Regt., on private affairs.—18. Ens. J. Christie, 31st Madras N.I., for health.—Nov. 4. Lieut. W. Geddes, 2d Gr. N.I., for health.—6. Lieut. F. R. Gordon, 26th N.I., for health.—7. Ens. E. Etwall, 2d Gr. N.I., for health.—27. Ens. W. R. Forbes, 4th N.I., for health.—28. Cornet G. R. Erskine, 1st L.C., on private affairs.—Dec. 6. Lieut.



Lieut. H. Fullerton, 25th N.I., for health.—Capt. W. Rollings, 2d Gr. N.I.—Lieut. Col. J. Salter, commandant of 5th N.I., for health.—Capt. F. Clibborn, 1st Gr. N.I., on private affairs.—10. Maj. J. Livingston, 18th N.I., for health.—17. Lieut. J. Gordon, 34th Madras N.I., for health.

To Calcutta.—Sept. 19. Lieut. G. B. Lloyd, 7th N.I., for six months, on private affairs.

To Sea.—Nov. 4. Capt. G. P. Le Messurier, 14th N.I., for twelve months, for health.

To Cape of Good Hope.—Nov. 6. Lieut. Col. N. C. Maw, 1st Gr. N.I., for twelve months, for health.

## LAW.

### SUPREME COURT, September 29.

In the matter of *Moro Ragonath*.—The following is an abridged copy of part of Sir J. P. Grant's speech in this case, the extreme length of which obliged us to omit it last month.

*Mr. Justice Grant*.—This is a motion for an attachment to issue against Pandoorung Ramchunder, Hindoo, residing at Poonah, a native of India, as I understand, of considerable rank and fortune, for not having obeyed a writ of *habeas corpus ad subjiciendum*, granted by me during the last vacation, commanding him to bring up the body of Moro Ragonath, an infant of fourteen years of age, also a native Hindoo of rank and of large fortune, whom he is stated to have in his custody confined in his house against his will, without any lawful right of control over his person or estate, and without possessing any public authority. The writ is prosecuted at the instance of Dinker Gopall Dew, also a Hindoo, native of India, generally residing at Poonah, describing himself "late of Poonah, father of the wife of the said Moro Ragonath," and, in one of the affidavits, "now residing at Bombay."

This writ was moved for before me in chambers, by Mr. Irwin, on Monday the 25th of August; when Mr. Advocate-General, being present, begged permission to address me. He said that the government here felt considerable anxiety as to the result of this motion, of which they had heard: that they thought the issuing of the writ, though on the return nothing should come of it, might be attended with injurious consequences, and that the rights of the East-India Company, as having an exclusive jurisdiction through their courts in the provinces, would be materially affected by the mere issuing of the writ, and he hoped to be able to satisfy me that neither the writ of *habeas corpus*, nor any other of the King's writs, could run into the Company's territories beyond the town and inland of Bombay and the factories subordinate thereto, unless directed to British subjects, or to persons employed by or in the service of the United Company or of a British subject. I intimated that I should be very glad to hear him, before determining on the issu-

ing of the writ, and Mr. Irwin having readily assented, it was agreed that I should hear counsel on the following Wednesday, and I desired the affidavits might be sent me.

I found there was only one affidavit put in whereon to ground the motion for a writ of *habeas corpus*, though other affidavits came before me relative to a civil suit growing out of the same matter, and which I thought had been mentioned, or at least part of their contents adverted to, when the writ was moved for. I found reason to doubt, on reading it, whether sufficient ground for issuing the writ was laid by the affidavit put in to support it; and on coming into chambers on Wednesday I intimated my doubt to Mr. Irwin, and begged him, in the first place, to direct his attention to this question. It appeared Mr. Irwin had advised the production of other affidavits, and thought they were put in; as they were not, he said he would make the motion again; and, on my suggestion that term was approaching, it was agreed to make the motion in court on the first day of this term. On the following Friday, however, I received, through my clerk, an intimation from the attorney that the boy's friends here had received accounts regarding him from Poonah, which made them desirous to press the motion for a *habeas corpus* without delay, and requesting me to permit counsel to attend me the next day. Accordingly on Saturday the 30th of August, I had the benefit of hearing the question argued by the counsel on both sides, with a degree of learning and ability highly creditable to them and extremely satisfactory to me.

The affidavits now put in being, in my opinion, sufficient, and seeing no reason to doubt the power of the court, I directed the writ to issue, returnable in court on the 15th of this month (September).

There is a clause in the King's Letters-patent, which commands this court "to fix certain limits beyond which the sheriff shall not be compelled or compellable to go in person, or by his officers or deputies, for the execution of any process of the said court, and upon occasions where the process of the said court shall be to be executed in any place or places beyond the said limits so to be fixed," and commands the judge to "direct by what person or persons and in what manner such process shall be executed." I did not think it advisable to leave the nomination of the person to whom the writ should be entrusted entirely to the parties, knowing the heats that might be engendered in matters of this nature, and the ignorance of the natives regarding the objects and the due mode of executing such writs; I, therefore, thought myself, in the spirit of the above clause in the charter, so far entitled to interfere as to request of the deputy

puty sheriff to point out a fit person, who understood the Mahratta language, and was of such respectability and good sense, that he might be trusted to execute the writ with a becoming regard to the respect due to the rank and station of the person to be served with it, according to the manners of the country, and to conduct himself generally in a way that should not violate the feelings and customs of those with whom his duty should bring him into contact. The deputy sheriff very obligingly did so; and I directed that the person he recommended should be accompanied by only one other, also acquainted with the Mahratta language, to serve as a witness of what passed. I ordered that the writ should be translated by the proper officer of the court into the Mahratta language, and that the translation, duly authenticated, should be delivered with the writ; and I desired the clerk of the Crown to put into writing, and give to the person who was to serve the writ, short directions as to what he had to do.

In order still further to provide against any possible want of attention to the manners of the country, or any unintentional disrespect to one of his Majesty's native subjects of the condition of this defendant, or any unpleasant consequences to him, following upon the communication of the King's command, signified by this writ under his seal, the issuing of which his Majesty has been graciously pleased to entrust to the judges of this court, as the humble instruments of this royal authority, I also directed the clerk of the Crown to write a letter in my name to the chief magistrate or civil officer of the Company at Poonah, and I desired him to inform himself as to the person to whom this letter should be addressed. I find that he addressed it to "John A. Dunlop, Esq., at Poonah." It requested the magistrate's assistance, not to execute the writ, for that I did not anticipate would be necessary, but to enable the bearer of the writ to deliver it to Pandoorung Ramchunder, in the manner most agreeable to the usages of the country, as applicable to a person of his rank, and it informed him of my anxiety that any inconvenience which might possibly arise from the ignorance of a native of Poonah, in regard to the nature of a prerogative writ of the Crown, and the peremptory necessity of instant obedience to it, should be avoided.

Whether this gentleman, Mr. Dunlop, was the person having the chief civil authority as a magistrate or officer of the Company's government at Poonah, or was, by his station, in a condition to afford to the person bearing the writ, such assistance as might enable him to deliver it to Pandoorung Ramchunder, in the manner most agreeable to the usages of the

country, as applicable to a person of his rank, I really do not know; but if the clerk of the Crown made any mistake in this matter it could be but of little consequence, since, in this case, it would have been the duty of this gentleman to have carried the letter of the court to be delivered to the proper magistrate or officer; a duty which, I am persuaded, he would have readily performed.

I have mentioned these details, because I consider it as much part of the duty of the King's court, in giving effect to his royal authority in a country newly brought under subjection to it, to attend to the manner as to the substance of its proceedings; to adapt the mode of executing its process, as much as may be, to the manners and condition of the inhabitants, and to prevent that from being rendered, through awkwardness and ignorance, the subject of jealousy and fear, which, being calculated for the protection of their rights and the promotion of their happiness, cannot fail, when rightly understood, to be received with confidence and gratitude.

It appears from the affidavit of service, that the writ was received by Pandoorung Ramchunder with due respect, expressed according to the manners of the country, and it was returned with a return in writing on the day appointed, but it was not obeyed by producing the boy to the court as was commanded.

The return being filed, Mr. Irwin objected to it, and moved for an attachment for disobedience to the writ; and he stated two grounds: 1st. that there was no return *paratum habeo corpus*, and he referred to "*Rex v. Clarke*," 3 Burr. 1362, where, even in the case of a lunatic, the Court of King's Bench would only enlarge the time for the return; 2d. that no reason was stated in the return to excuse the disobedience, but that the writ ought not to have issued; a reason which, he said, the court would not receive.

Mr. Advocate-General having been heard at great length, and with much ability, in support of the sufficiency of the return, or rather to deny the power and authority of the court to issue the writ, and having cited "*Rex v. Winton*," 5 T. R. 89, to show that an attachment does not issue of necessity, and without hearing the party to defend the return, Mr. Irwin was heard again in reply; and the court, from this being the first application for a writ of *habeas corpus* in the like circumstances, and from the extensive and important consequences of the decision, thought fit to take time to consider of its judgment.

This is a case, without all doubt, of the greatest importance to the King's subjects in India of every description and of every nation. For my own part, if such feeling were permitted me, I should feel  
much

much concern that so great a question, in its consequences, should have been forced on my individual decision, and that my suggestion, at first adopted, was not adhered to, to move in term; but, as the parties thought otherwise, they had a right to my decision, and I gave it after careful consideration. I have since weighed well all urged against it; if I know myself, I have done so impartially; with anxiety, no doubt, to do justice, but in no other way anxious, except that nothing should escape my grasp that ought to be duly weighed, to shake my first opinion. I am not able to say that I have met with any thing to shake it. There is a saying attributed to some great names in the law, and as having been employed in a discussion on this very question of a power to issue writs of *habeas corpus*, "*Boni judicis est ampliare jurisdictionem.*" I must say, that if these words be taken in their most ordinary signification, I am not sensible of any desire of the kind. If it were permitted to a judge to consult his ease and tranquillity, assuredly he would limit rather than extend his jurisdiction; he would relinquish much of what he has without dispute, rather than lay claim to any which might be contested. If the saying is used to condemn this fearfulness and indolence, I heartily applaud it. If it be understood, in what I take to be its true meaning, that it becomes a judge to extend, with an amplitude suited to the exigency, the full protection of the law over all such as require to come within the shelter of its power, nothing can more truly describe the duty of an honest magistrate; but there is another saying recorded by Lord Coke, equally worthy of all observation: "*Sapientis judicis est cogitare tantum sibi esse permissum quantum commissum et creditum.*" What, however, is entrusted to a judge is committed to him; what he has the power to do for the protection of the King's subjects he is bound to do; and to shrink from the assertion of an authority necessary to the discharge of a duty, because it is a new case which no one has considered before, is what an honest man dare not do. On the other hand, to desire to heap upon his own head labour and responsibility not exacted, in order to usurp authority not granted, and barren of power and of praise, were an absurdity so childish and preposterous, that it can be attributed scarcely to any man. I approach this question, therefore, without any jealousy of myself, and without feeling that any other person can suppose there is occasion for it, I shall say no more on this matter; probably it was unnecessary to say any thing.

In order to see the full extent to which this case goes, it is necessary to look to the facts which the court is bound to consider as true, in reference to its de-

cision. These facts are disclosed by the affidavits, which are to be taken as true so far as the facts are distinctly averred, and are not contradicted by the return, which return is to be taken as true absolutely.

(The learned judge here detailed the substance of the affidavits, as given by Mr. Justice Chambers.)

There is one circumstance mentioned in the affidavits, which might cast some doubt on the freedom with which the boy acted in quitting the defendant's house on the 12th of July last, if the whole of what is sworn in the affidavit, making mention of it, is not considered. It is sworn by Suntoo Setty, a peon in the service of this boy, as he states himself still to be, though not permitted by the defendant to have access to him, and who has been in his service and his father's ever since 1808, now twenty years ago, having been detained as one of his attendants by his grandmother, and after her death by his guardian Mahadajee Punt, who it appears was the gomastah of the boy's father; it is sworn by this Suntoo Setty, that having often tried in vain to hold some conversation with his young master, whom he used to see at the window of the defendant's house, he at last, on the 11th of July last, passing the house, saw him looking out of an upper window, when he beckoned him to come near, and said to him, "To-morrow I intend to go to Bombay, and you must go with me;" that accordingly next morning the deponent went with Ranchunder Puntkerrey, taking a palanquin with them to the defendant's, and the boy got into it to proceed to Bombay; and he says, that in a few minutes before the boy got into his palanquin, one Francisco de Roza served him, the boy, with a rule of this court to appear and shew cause why a writ of *capias* should not issue against him. The remainder of this affidavit is very material:

And this deponent further saith, that the said Moro Ragonath did proceed towards Bombay of his own accord, in company with this deponent and others of his relations, on the 12th of July last past; and this deponent further saith, that about twelve o'clock in the forenoon of the said 12th day of July, the said Moro Ragonath, in company with this deponent and others, arrived at the village of Thetowda, a place about six coss distant from Poonah, where they halted and refreshed themselves, intending to remain there during the night; and this deponent further saith, that about ten o'clock of the night of the said 12th day of July last, after the said Moro Ragonath and his friends had retired to rest, he, this deponent, in consequence of some persons having demanded admittance, opened the door of the dwelling-house, in which the said Moro Ragonath and his friends were staying, when a jamadar, named Gungaram, in the service of Richard Mills, Esq., first assistant collector of Poonah, with whom this deponent is well acquainted, came into the house, when he, the said Gungaram, said, "I am come by the orders of the collector of Poonah to seize and carry Moro Ragonath back to Poonah," and at the same time showed a written paper in the Mahratia character; and this deponent further saith, that the said

said Moro Ragonath did, in this deponent's presence, take and peruse the written paper from the said jamadar, and, after he had perused it, said "well, if this is the hookum of the collector of Poonah, he prevents my obeying the order of the Supreme Court of Judicature at Bombay, where I was about to appear, and I suppose you will force me to go back to Poonah." And this deponent further saith, that at the time when the jamadar presented the hookum from the collector as aforesaid, he, this deponent, saw, in different positions around the dwelling-house where the said Moro Ragonath and his friends were staying, several men on horse-back, as if they were keeping guard to prevent the said Moro Ragonath leaving the house; and this deponent further saith, that on the following morning, about sun-rise, the said jamadar called the said Moro Ragonath, in this deponent's presence, and requested the said Moro Ragonath to get himself ready to proceed with him to Poonah; and this deponent further saith, that the said Mahadajee Punt, the goomastah, who was also in company with the said Moro Ragonath, for the purpose of proceeding to Bombay with him, spoke to the said jamadar, on the behalf of the said Moro Ragonath, saying, "this is a very young man, pray allow him to perform his al-lution and take his morning-meal, when he will obey the collector's order;" and this deponent further saith, that the said jamadar answered the said Mahadajee Punt in a very angry tone of voice, and said "no," that he "should not allow of any delay, and that if he, the said Moro Ragonath, would not immediately go with him, his order from the collector was, that he the said jamadar should seize him by force and tie him on his horse's back and bring him back to Poonah without any delay;" and the said Moro Ragonath began to cry very bitterly; and this deponent further saith, that by the orders of the said jamadar the said Moro Ragonath got into his palanquin, when the said jamadar gave the men orders to proceed immediately to Poonah, which they accordingly did, surrounded by the said jamadar and his men, followed by the said Furruram Punt, this deponent, and other followers of the said Moro Ragonath, where they arrived about noon of the same day, and were taken to the collector's office; and this deponent further saith, that immediately after their arrival at Poonah, the said Moro Ragonath, this deponent, and the said goomastah were taken before the said Richard Mills, the collector, who addressed the said Moro Ragonath, and asked him, the said Moro Ragonath, what was his reason for leaving Poonah to go to Bombay; when the said Moro Ragonath answered and said, "here is an order of and by the Supreme Court of Bombay;" and (presenting at the same time the paper before referred to, with which he, the said Moro Ragonath, had been served by the said Francis De Roza, at Poonah as aforesaid), "I wish to go to Bombay to obey the order of the Supreme Court there, but your people have prevented me going there, and have seized and forced me back to Poonah by your orders and directions;" and this deponent further saith, that the said Richard Mills then directed the said Moro Ragonath to go to the house of the said Pandoorung Ramchunder to wash his body and take his meal, and return to his, the said Richard Mills's, office again; and this deponent further saith, that the said Moro Ragonath answered and said, "No, Sir, I will not go to the house of Pandoorung Ramchunder, because he is a friend of mine, to which the said Richard Mills replied, "go to what house you like and get your meal, and then return here to me;" and at the same time the said Richard Mills ordered two peons to accompany the said Moro Ragonath; and this deponent further saith, that the said Moro Ragonath, being attended by this deponent, then went to the house of his maternal uncle, Bulvant-roop, where he, the said Moro Ragonath, washed his face and took his meal, after which he returned to the house of the said Richard Mills, the collector, to be in charge and custody of the two peons; and this deponent further saith, that at the close of the same day the said Moro Ragonath, in the company of the said Moro Ragonath, in the company of the said Moro Ragonath, the judge of Poonah, under the power of the two last mentioned peons, who delivered the said Moro Ragonath into the custody of the said John Andrew Dunlop, and then left the office and returned back to the office of the said Richard Mills; and he, this deponent,

further saith, that the said John Andrew Dunlop called the said Moro Ragonath to him, and asked of him what was his reason for wishing to go to Bombay; when the said Moro Ragonath replied, in this deponent's presence, that he had been served with an order from the Supreme Court at Bombay to appear there on a certain day therein named, shewing the said John Andrew Dunlop at the same time the copy of such order, with which he had been served by the said Francis De Roza, at the house of the said Pandoorung Ramchunder, which paper was perused by the said John Andrew Dunlop; and this deponent further saith, that after the said John Andrew Dunlop had perused the copy of the order as aforesaid, he, the said Moro Ragonath, requested the said John Andrew Dunlop to return the said copy of the order to him again, but that the said John Andrew Dunlop positively refused to do so, and, placing the same on his table, said, "you must return to the house of Pandoorung Ramchunder immediately;" and this deponent further saith, that the said John Andrew Dunlop asked the said Moro Ragonath, in this deponent's presence, if it was his wish to go to Bombay, and that the said Moro Ragonath replied, that it was very much his wish to go to Bombay; and this deponent further saith, that the said John Andrew Dunlop told the said Moro Ragonath, that he would take care that he should not go to Bombay, and that he would likewise prevent his getting away again from the house to which he intended to send him; and this deponent further saith, that the said John Andrew Dunlop then gave orders for his palanquin to be brought, and which was accordingly done, and the said John Andrew Dunlop then ordered the said Moro Ragonath into it, and gave the bearers and peons orders to take the said Moro Ragonath back again to the house of the said Pandoorung Ramchunder; and this deponent further saith, that when the said Moro Ragonath heard the said John Andrew Dunlop give the said bearers and peons the above-mentioned orders, he, the said Moro Ragonath, began to cry very much, and beseeched the said John Andrew Dunlop not to put him again into the power of the said Pandoorung Ramchunder, who was his, the said Moro Ragonath's, most inveterate enemy, and that he, the said Moro Ragonath, was afraid that he, the said Pandoorung Ramchunder, would take away his life; and this deponent further saith, that he, the said Moro Ragonath, told the said John Andrew Dunlop, in this deponent's presence, that he was determined not to go to the house of the said Pandoorung Ramchunder unless he was forced to go there by him, the said John Andrew Dunlop; and this deponent further saith, that the said Moro Ragonath told the said John Andrew Dunlop, that if it was his determination to put him again into confinement, to confine him in some place near his, the said John Andrew Dunlop's, dwelling-house, or build a shed for him and keep him guarded under his own sight; but implored the said John Andrew Dunlop not to put him again into the power of the said Pandoorung Ramchunder, who he, the said Moro Ragonath, was afraid would take away his, the said Moro Ragonath's, life; but the said John Andrew Dunlop would not listen to any thing which the said Moro Ragonath uttered, and gave orders to the bearers and peons to take him the said Moro Ragonath away immediately to the house of the said Pandoorung Ramchunder; and that he, the said John Andrew Dunlop, would take care that he, the said Moro Ragonath, should not get away from thence again very easily; and this deponent further saith, that the said Moro Ragonath was carried away and confined in the house of the said Pandoorung Ramchunder by the orders of the said John Andrew Dunlop, and who sent two peons with the said Moro Ragonath to prevent his escaping from the bearers on the way to the house of the said Pandoorung Ramchunder, and that the said Moro Ragonath is now in confinement and guarded to prevent his getting away; and this deponent further saith, that none of his, the said Moro Ragonath's, friends or relations, are allowed to have access to him, or to speak to or even to see him, the said Moro Ragonath.

Now, without all doubt, upon this affidavit, it appears that there has either been a very improper abuse of the process of the court, if any part of its process was in fact employed, or a very improper use of

the name of the court, if what was employed was fictitious. The paper delivered to the boy, Moro Ragonath, having been retained by Mr. Dunlop in his possession, we have no means in this case of knowing what it was, though the court does know that some use is to be made of it in another proceeding; but this we know, that it was not, and could not, be a rule of the court requiring the immediate attendance of this boy at Bombay. In truth, it appears from the records of the court, that in a cause, in which the name of Moro Ragonath, which is this boy's name, is used as that of the defendant, but where it is not stated that such defendant is an infant, a rule to show cause why a *capias* should not issue was granted, in order to give the plaintiff an opportunity of trying the question whether the court has civil jurisdiction, in the case of a contract entered into by persons, at the time of such contract living in Bombay, though the defendant should reside in a different part of the territories subject to the presidency at the time the action is brought; it being alleged, and probably, from a printed copy of the mayor's charter, truly alleged, that such case was within the jurisdiction of the Mayor's Court, all whose jurisdiction was stated to have descended on us. But, whatever may have been the intention of the deception practised, and whoever were to be deceived by it, the discredit thrown on the conduct of the parties by the practice of this deception weighed much with me, when the case was first before me on one affidavit, and when the circumstances necessary to be considered in it were imperfectly disclosed. It appears by the affidavit of Suntoo Setty, that it could not be the fact of the delivering this copy, or pretended copy, of a rule of this court to the boy Moro Ragonath, which induced him to desire to leave the house of the defendant and proceed to Bombay, because this affidavit states distinctly that the boy called to the deponent from the window the day before, and informed him of his wish and intention to go to Bombay the day following, and his desire that the deponent should attend him; and it also states that it was after the palanquin and his attendants were in readiness, and only a few minutes before he got into his palanquin, that the paper was put into his hands. Whether he had been influenced before, by being told there was such a rule, which he must obey, and which would be delivered to him, and by what means access was obtained to him for the purpose of so deceiving him, if it happened, we have no means of knowing. Nor can we know whether these affidavits are true; but we have no reason to believe them false; and we are bound to hold them, being uncontradicted, for true, for the purpose of enforcing obedience to this

writ of *habeas corpus*; and we do know, upon the showing of these affidavits, that the boy exhibited no signs of being forced or constrained to undertake the journey to Bombay, and expressed great chagrin and more than reluctance, when compelled to relinquish it and to return to the custody of the defendant.

To these affidavits there is nothing to oppose but the return which the defendant has been advised to make. It is in the following words:—

I, Pandoorung Ramchunder Dumdurré, am the relation and friend of the Peshwa; I never in my life have been the servant of the English government or of the English. At the same time the Company's government took this country, they gave me word that I should live without fear or molestation. Depending upon that, I remained in Poonah; and as for my grandson, Moro Ragonath, I am his grandfather; he was placed under my charge that I might take care of him, according to the usual custom. He, the said boy, is fourteen years old: for that reason, according to the Shaster of the Hindoos, he is without knowledge: he is bound to behave agreeably to the orders of the person under whose charge he lives; and further it is necessary to take care of the property and wealth of that boy; more than this there is nothing, and there is nothing more done (by me to him) than by those to whose care a boy is delivered, or the usual orders of seniority in a Hindoo's family. Should I by any chance do more or less, the same being made known to the Adawlut at Poonah, it would be immediately stopped. After Moro Ragonath's grandfather died, he was delivered into my charge, according to the rule, and I agreed to undertake that charge in order that my grandson's wealth might not be ruined. Without the leave of those by whose authority I took the charge upon my head I cannot relinquish it. Dated the 10th of Sept. A. D. 1828, 1st of Bhadrupad Sood Shalibahan 1750, the name of the year being Surodharee.

Now the wording of this return is very far from being such as to satisfy the minds of the court upon that which alone is material in the return to a writ of *habeas corpus*—the facts of the case. Every allowance is to be made for the defendant's want of acquaintance with our forms, and the remoteness of his residence from any place where he could obtain good legal advice; and if the return were substantially good, the court would receive it in whatsoever form of expression it were embodied; that is, if it contained sufficiently certain averments of such facts as are necessary to justify the taking and detaining of this boy.

It is very true that this is a matter which nearly concerns personal liberty, and, I may observe, in passing, that although in the British dominions in India, as in other colonial possessions, the degree of political liberty cannot exist as in the governing country; yet the personal liberty of every individual in all the parts of his Majesty's extensive dominions, scattered over every clime, and at every variety of distance from the seat of his government, is equally under the special protection of the King of England and of his courts. It is very true, that in a matter of this nature the court are properly jealous of departure from the form usually observed in returns

returns to writs of *habeas corpus*. Where it is deviated from materially, by a person who has access to good advice, and appears to have made use of it, it begets a reasonable suspicion that some evasion is intended to be covered by the employment of unusual expressions, as is said in "*Rex v. Winton*" 5 T. R. 89: "The liberty of the subject so essentially depends on a ready compliance with the requisitions of this writ, that we are jealous whenever an attempt is made to deviate from the usual form of the return." But this suspicion is only reasonable under the ordinary circumstances of a return made by a person residing where the law of England prevails, and where suitable professional advice may be had, and even in these circumstances the court will permit an omission of an averment material in point of fact to be supplied in court, and the return amended, at the peril always of the person making the return, in the same way as if it had been originally framed with that averment. This is so laid down by Lord Hale, C. J., and assented to by the court, 1 Mad. 103; where a return to a writ of *habeas corpus* was so amended accordingly; and this is said to be so by Lord C. B. Gilbert in *Bac. Abridg.* tit. "*habeas corpus*," provided it be before the writ is filed. Much more would the court permit an equivocal expression to be rendered correct. This court, the other day, permitted a return to a *habeas corpus* to be amended, where a material fact had been omitted, in the case of the jailer of Tannah.

We would, therefore, receive with every possible degree of allowance, consistent with the obtaining the object of the writ, the return of the defendant in this case, considering the circumstances of his situation as a foreigner, residing at so great a distance from the presidency. At the same time he himself informs that he is a person of high rank, being the relation and friend of the Peishwa, and having continued to reside at Poonah after the conquest, on the word given him by the Company's government that he should live without fear or molestation. I cannot doubt, therefore, that he might command from the Company's law officers as good legal advice as could be any where afforded him; and I can as little doubt that on an occasion like the present, in the case of a foreigner who, being the relation of a prince whose dominions had, by the fortune of war, been transferred to their sovereign, and by their sovereign given into the possession of the Company, had so placed himself under its protection, the civil officers of the Company's government would consider it their duty to explain to him, so far as their particular habits of military, or mercantile, or fiscal employments might enable them, all that might be required of him, by the laws of their

sovereign, in order to secure his living, as they had promised, without fear or molestation; and where they were sensible of questions of English law arising which they could not safely determine, that they would earnestly recommend to him to apply to the Company's law officers for advice, and to be guided implicitly by their opinion. And this, it appears from the return, that this distinguished person was quite prepared to do; for he himself states, that if he should deviate from the duty of one to whose care a boy, in the circumstances of his young relation was delivered, he considers himself amenable to the Adawlut at Poonah. He is, therefore, very far from intimating a belief or a wish of being exempt from an obedience to the laws of the English government; and he could not more shortly, or distinctly, state his conception of the reciprocal duties of protection and allegiance than in this return. Being thus perfectly ready to pay a prompt and willing obedience to the court of the Company at Poonah, it cannot be doubted that he is equally ready to pay obedience to the court of the King, their sovereign as well as his.

If his not having done so has proceeded from an opinion that, in this instance, he was not bound to do so by law, he must have acted by advice, and the soundness of that advice it will be my duty now to consider; but, I think, it is to be regretted that, if he was advised to take that ground, he was not also advised so far to comply with the requisition of the writ in the first instance, as to produce the boy, that the court might be satisfied of his health and safety, and be in condition to do regarding him what they should determine to be lawful, having such a return framed by some competent person of the cause of the taking and detaining him, and of the manner of detaining him, if he be detained, as should put the court in possession of all the facts. By so doing, he would not, in the least, have prejudiced his plea, nor, if the Company's officers had thought right to moot the question of jurisdiction, would they have done so under any disadvantages. It is this court that of necessity must determine the question, whatever circumstances may be made choice of, as those in which it shall do so; and if it shall now determine that the writ is lawfully issued, it must be enforced with much more of inconvenience, in all respects, than if the obvious and usual course had been adopted.

But, even if the defendant was advised not to produce the boy, and to peril the case on the question of the power of the court to cause the writ to issue, it is matter of surprise to me, as well as of regret, that he was not advised to have a return drawn up which might contain a clear and certain averment of the facts, accompanied,

nied, if he was so advised, by a denial of the power of the court. But the return made informs us of nothing with any certainty except the relation between the defendant and the boy; who is said to be the defendant's grandson, instead of his grand nephew, as stated in the affidavit of Dinker Gopall Dew, the father of this wife. Then it says, that the boy was placed under his charge that he might take care of him, according to the usual custom; but by whom he was so placed it does not say. It agrees with the affidavits that the boy is fourteen years of age. It states that nothing more is done by him to the boy than by those to whose care a boy is delivered; but it does not state what that is, nor does it negative the supposition of an uninterrupted, rigorous, and unwholesome confinement, or affirm any thing to satisfy the court of the safety of the boy, or of the present state of his health, or of the absence of all interest in the defendant in his death; while it is distinctly sworn by the father of his wife, who can have no interest but in his preservation, that he believes his health has been greatly impaired, and will be still further injured, and his life endangered, by a continuance of his confinement, and that the defendant, who so confines him, will, on his death without issue, succeed to his property. If this last fact be true as to the succession, it would appear to me very difficult to conceive how the defendant could be lawfully appointed to the custody of the infant's person; the guardianship of all infants, whose parents are dead, being, by the Hindoo law, vested in the sovereign; and it is not to be supposed that any British judge, performing the functions of his sovereign, the King of England, in this matter, where he has to exercise a judicial discretion, would fix upon the only person for the discharge of this office who, for reasons of, at least, as much weight when applied to Indian as to English society, at any period of its history, is declared utterly incapable of it by the law of England, which regards it, and most justly regards it, as *periculosa custodia*. [Co. Lit. 88. 6. and Blac. Com. 262.]

If, therefore, this court possesses the power of issuing a writ of *habeas corpus*, in similar circumstances, there can be few cases arising out of the relations of domestic life, which more imperatively call for its exercise, without reference to the person who inflicts the hardship complained of being a native Indian or a British-born subject of the King; but it is sworn that the boy was delivered into the power of the defendant by a British subject, in order to his being imprisoned; that the imprisonment was carried into effect by his authority and by means of his personal interference, and that it is now rendered ef-

fectual by the guard of persons under his command, and acting by his instructions.

To this it is answered, that the defendant, who has the boy under duress, is not a British-born subject, and is not, and never has been, employed by, or in, the service of the East-India Company, or of any of his Majesty's British subjects; and that, therefore, the King's court here can give no relief to any one who may suffer from his violence or oppression, be the instigator and abettor of that violence and oppression who he may. This is the true and naked state of the question now at issue; and it is obvious that, if the affirmative of this proposition be true, it is indifferent whether the person who complains and who demands the King's protection through this court here be a British subject or a native. The question is not concerning the person to be protected, but the person bound to pay obedience to the King's writ. I think that, from what I shall say, it will presently appear, and indeed it so appears from what my learned brother has said, that if the doctrine on which this proposition is maintained be true, this court, as the law stands, can in no case whatsoever issue any of the prerogative writs of the crown. I am sure, if this be so, the sooner it is known the better, that the attention of Parliament may be drawn to it. There can, therefore, be no case of greater or more universal interest to all the King's subjects in India, British, equally with native.

By the construction put upon the charter of justice and acts of Parliament, all the subjects of his Majesty, born in Great Britain and Ireland, who are residing in India, are placed, either by the King acting by his prerogative, or by the King acting by advice and consent of Parliament, out of his royal protection, so far as regards their personal liberty, except through an application to the Court of King's Bench at Westminster, or to his Majesty in person in his Privy council; and the King's courts in India, created for the double purpose of protecting the natives of India from oppression by the East-India Company's servants in India, and other British subjects residing there by permission of the Company, and for affording to all the King's British subjects in India tribunals, commissioned by the King, for the protection of their personal safety, their personal liberty, and their property, are left powerless for the protection of the personal liberty of any description of his Majesty's subjects whatsoever, even though it should be violated by the servants and officers of the Company themselves, "over whose actions," it is declared, by the address of the House of Commons to the Throne, for the recall of Sir Elijah Impey, voted shortly after the

the passing of the 21st Geo. III. to explain the 13th Geo. III., creating the Supreme Court in Bengal, that "the Supreme Court was intended as a controul according to the good purposes and true intent and meaning of the said act of 13th Geo. III. c. 13." The House of Commons, at least, which passed the 21st Geo. III., did not, therefore, believe or intend the statutes to leave the Supreme Court in Bengal destitute of power to controul the actions of officers and servants of the Company, whereby the King's subjects should be deprived of their personal liberty.

It must be remembered that, against any failure of justice on the part of the Company's court, of the Governor or President and Council, a remedy was always competent by application to the King in Council; and where personal liberty was concerned, a writ of *habeas corpus* might always have been issued by the Court of King's Bench at Westminster, to any part or any person in the British dominions in India, as to any other part of the foreign dominions of the Crown. These proceedings were competent at common law before the 13th Geo. III., and the power of resorting to them, competent to every inhabitant of these dominions, of necessity accompanied every extension of the Company's possessions. This has been conceded in argument by Mr. Advocate-General, as indeed it could not be denied. To confer the right, therefore, of suing out a writ of *habeas corpus*, on all the inhabitants of any British possession in India, no act of Parliament was necessary; it accompanied, by force of the common law, the very act of acquisition. But it was obvious that this remedy against acts of oppression was, to almost all practical purposes, rendered nugatory by the distance; nor was it thought that the superintending and appellate jurisdiction of the King in Council was sufficient protection, from the same consideration. When there came to be large provinces and kingdoms under the government of the Company's servants, over which British subjects were scattered in all directions, and which teemed with millions of inhabitants, added to the number of the King's subjects, it was thought that former methods did not sufficiently provide for the administration of justice. It was from these considerations that Parliament deemed it necessary, that the King should depute judges to administer justice in these distant territories, armed with his royal commission, and possessing, as is expressed in the statutes, full power and authority to exercise and perform all civil, criminal, admiralty, and ecclesiastical jurisdiction; that is, all jurisdiction possessed by any court of the King in England. The occasion demanded very ample authority to be given to these judges, and these are very ample

words. They would seem to include the power of issuing the mandatory writs of the Crown to all those persons in India to whom they might, by the common law, be directed by the Court of King's Bench at Westminster; and there is here no question of empowering the King's court to direct this writ of *habeas corpus* to persons inhabiting the territories possessed by the East-India Company, for the King's Court of his Bench at Westminster, as I have already said, might always so direct such writ. But the question is, whether, the King in Parliament having declared it expedient that his Majesty should erect and establish Supreme Courts of Judicature in India, having full "power and authority to exercise and perform all civil and criminal jurisdiction," the power to issue the prerogative writs of the Crown has been excepted, or omitted, and to obtain the King's protection of their personal liberty, which it is the first duty of the sovereign to afford, reciprocal in the allegiance of the subject, of which it is the consideration and condition, the King of England's subjects in India, British born and native, shall be put to sue out the King's mandatory writs from his Supreme Court of King's Bench at Westminster, many thousand miles off, passing by the King's Supreme Court invested in India with the jurisdiction and authority of the Court of King's Bench in England, sitting at the next presidency and close at hand.

It is obvious that, according to the doctrine now maintained, any subject, native or British, may be imprisoned unlawfully by any officer of the Company's government, by a means the simplest and most obvious, without any remedy afforded by any of the King's courts in India; and a British subject may be imprisoned, unlawfully and openly, directly and avowedly, by any native, be he high or low, in any part of the British dominions in India, out of the town of Calcutta and Madras and the town and island of Bombay, without any remedy afforded by any of the King's courts in India. Yet, cannot a native or any other recover from a British subject in a civil action, nor complain of him for any crime or offence, save only in one of the King's courts; and this, because the Sovereign and the Parliament have thought fit that the property and personal safety of British subjects in India should be under the special protection of the King's courts and the King's laws.

It may be said that, on such occasions, there are the Company's courts to apply to, and it is not to be inferred that they will not do their duty. But I must be allowed to remark, without offence to those in the Company's employ, that, in the first place, this was a reason against making any laws for man's protection from wrong: for, if all men did their duty,



duty, there would be no protection wanted, and there is no presumption of law in favour of inferior or local courts that they do not go wrong; and, in the second place, that the Legislature has proceeded on the directly opposite presumption, for it refuses to confide the protection of British subjects to the Company's courts, or the protection of the natives against the Company's officers.

Now, it is quite certain that all the consequences I have mentioned may follow, and the construction contended for by the defendant may, nevertheless, be the legal construction of this charter of justice and these acts of Parliament. These are beneficial acts, being for facilitating the administration of justice, and for affording to the subject more ready access to courts having the King's commission and administering the King's laws. Reasons, therefore, derived from public policy and convenience, and leading to the extension of the benefit of the court's jurisdiction, ought to weigh in the interpretation of them where the words are doubtful, and the largest meaning must, by all just rules of interpretation, be given to the words which they will fairly admit of, "in suppression of the mischief and advance of the remedy." [Co. Lit. 380.] And what the mischief was, and what the remedy proposed, we know both historically and legally; legally, from the tenour of the statutes and charters, to which I shall presently advert; historically, from the records of what passed at the time. And from these we know that the House of Commons, previous to passing the 13th Geo. III., adopting the report of their committee, resolved that what was necessary was "the establishing in India a fixed, lasting, and regular course of justice for the permanent security of liberty and property." And we are told in a book, which, I believe, is of authority in regard to the records of the Court of Directors at the India House, I mean Mr. Auber's *Analysis*, that the Court of Proprietors of the East-India Company, on the 10th of May 1773, agreed to certain propositions for a bill to be introduced into Parliament, which propositions they annexed to a petition to the House of Commons; these propositions containing "a proposal to introduce the privilege of *habeas corpus* into India." Now, it would be strange, if all parties being thus agreed, the only power, the court of justice established for the permanent security of liberty and property, should be refused,—should be without the power to issue the writ of *habeas corpus*. Nevertheless, this may have happened; and if the words of the charter and the statutes are express to his effect, the court can be influenced by no considerations beyond them.

There are two preliminary questions

started by Mr. Irwin. 1st. Whether the court can entertain any questions raised by the return, until the writ is so far obeyed in the first instance by bringing up the body? 2d. Whether we ought to receive a return which resolves into a denial of our authority.

Now it is apparent, as to the first of these questions, that it cannot be laid down broadly in the negative. There are many cases when the writ cannot be obeyed by bringing up the body. There are some where the court may be satisfied it ought not to be so obeyed. Besides the ordinary case of complete obedience to the writ, where the body is brought up and the taking and detention justified, more or less successfully, there are two descriptions of cases where the body is not brought up. First, reasons may be shewn, on the return, for its being physically or legally impossible so to do; or, secondly, the return may assign for reason that the writ is invalid or incompetent, and that it ought not to have issued. The return may bear that he has not, and had not, at the receipt of the writ, the body in his power, custody, or possession; that the person is sick and not able to travel or be brought into court; that the person is a lunatic and unfit to be brought into court, as in "*Rex v. Clarke*," 3 Burr. 1362, cited by Mr. Irwin, where the defendant's being in course to obtain a commission of lunacy, the court enlarged the return of the *habeas corpus*, not because they would not have received the return as an excuse for non-compliance with the writ, the fact of the lunacy being established by the affidavit of a physician; but because they thought it more convenient to allow the writ to remain suspended till the fate of the commission should be known; and in "*Rex v. Turlington*," 3 Burr. 1115, it appearing, by the showing of those who moved for the writ, that the person was in a private mad-house, though her lunacy was denied, the court would not grant the *habeas corpus* till they had directed an examination by a physician, on whose report that she was sane they granted the writ, and she being brought, and no return endorsed on the writ, she was set at large. The same proceeding would undoubtedly have been adopted if her insanity had been alleged in the return. The return may deny the duress, and set forth that the person is at liberty, and does not desire to choose to be brought up, as in "*Rex v. Roddam*," 2 Cooper, 672; "*Rex v. Reynolds*," 6 T. R. 497; "*Rex v. Edwards*," 7 T. R. Ex. par. Lansdowne 5 East. 38. Many other cases will occur to every body.

But if the return states that the writ is invalid, and ought not to have issued, or denies the authority of the court, or if this be the defence, though no return be made, the party is, without doubt, entitled to be heard

heard in this case, as in every other, to impugn the jurisdiction, if he thinks fit, always doing so at his peril if he fail. But the court is bound to hear him; and it cannot be said that the point of jurisdiction, or any other point, is determined by granting the writ; for all the facts are never before the court on granting the writ, and only one side regularly can be heard. This accordingly has been the course of the courts. In "*Rex v. Earl Ferrers*," Lord Mansfield lays it down as in the discretion of the court to enforce speedy obedience to a writ of *habeas corpus* by attachment; and even in that case, though the rule for an attachment issued, he intimated to them not to execute it, if it was possible to attain the end by any gentler or other means. [1 Burr. 635.] In some cases of no return being made to a writ of *habeas corpus*, the proceeding has been by rule to show cause why it was not obeyed, without any word of an attachment in the first instance; as in "*Rex v. Roddam*," where it was *habeas corpus ad testificand.* [2 Cooper, 672.] In others by rule to show cause why attachment should not issue; as "*Rex v. Winton*," 5 T. R. 89; "*Rex v. Reynolds*," 6 T. R. 497. In two cases, the defendant has been permitted, without paying any obedience to the writ, or making any return to it, to take a rule *nisi* to quash the writ, where it appeared by affidavit that the body ought not to be brought up, and that the writ had been improperly issued; as "*Rex v. Reynolds*," 6 T. R. 500, and "*Rex v. Edwards*," 7 T. R. 745. In the older case of *Bourne*, an *alias* writ was granted, with a great penalty. In other cases, the time for making the return has been enlarged when the writ was not obeyed, and it appeared that the body could not be brought up; as in "*Rex v. Clarke*," 3 Burr. 1362. And when it has appeared, in the first instance, on affidavits produced by the person applying for the protection of the court, that the person confined was not in a fit condition to be brought into court, the court, instead of issuing a writ of *habeas corpus*, has granted a rule for proper persons to have access to the person confined, as in "*Rex v. Wright*," and *al.* 2 Burr. 1099. Or where, from the circumstances disclosed, it appeared doubtful, the court has refused to grant the *habeas corpus* in the first instance, but has granted such a rule as above that it might be informed of the fact; as in "*Rex v. Turlington*," 2 Burr. 1115. It cannot be doubted that in these cases, if a writ had been issued in the first instance, in ignorance of the facts which rendered the bringing up the body impossible or indecent, or threw a doubt over its possibility or decency, the court would have proceeded in the same way, on these facts being disclosed by the return. The result

is this: the courts have never felt themselves bound by any inflexible rule, that may not be applicable to the circumstances of the case in hand, but have regarded the course they should take as matter of sound discretion, to be adapted to those circumstances in such manner as to secure the liberty and safety of the subject, without infringing on any public or private right; without violating, but, on the contrary, enforcing, domestic duties; without outraging the decencies of life, and with as little of rigour and severity as may consist with the accomplishment of the paramount object entrusted to their care.

I have already stated, that I doubted on the single affidavit, then produced, of the propriety of issuing the writ. The motion was not persisted in, so that I decided nothing. On the production of the further affidavits I had no doubt.

This writ of *habeas corpus ad subjiciendum* is a writ of right, but not a writ of course. It follows, from the nature of things, that, to be efficacious, the writ must be peremptory, and must command the immediate production of the body of the person confined. 1. That the court may know the person is safe. 2. That he may be placed instantly within its power, to dispose of as justice requires, and under its protection to relieve from unjust and unnecessary restraint, if entitled so to be. No power or authority, no inconvenience, no difficulty, no distance, no ground of delay, must be permitted to withstand this writ, or be received as an excuse for even temporary hesitation in obeying it. If otherwise, the objects would be defeated. They are: 1. The ensuring the safety and liberty of the subject. 2. The vindication of the authority of the King. It cannot be suffered that any of the King's subjects should be imprisoned, and thus deprived of his own dearest right, and rendered useless to his sovereign and the public, who have right to his services, except by the King's authority, direct or delegated, or as being subjected to some necessary restraint, such as the circumstances may warrant, arising out of his particular condition and the relation and duties of private life. There may be, there often have been, inconveniences in particular cases from the issuing writs of *habeas corpus*, and those serious ones; but these considerations must yield to the general good. The preservation of rights which lie at the very foundation of civil society, no private or partial or occasional inconvenience can be suffered to compete with. The power of exercising this efficacious remedy is confided to Supreme Courts, and in its exercise there is every necessity for caution and care on their part. 1. The existence of the remedy depends on it: if the writ were issued on all occasions and without inquiry, might

might become intolerable, and there are cases where it would be attended with public mischief and danger; and, 2. The avoiding much private hardship and wrong depends on it; and many circumstances are to be considered in each case, and each case must rest on its own grounds, necessary for applicant to lay sufficient foundation for the issuing the writ. The court is bound to receive the application favourably, *in favorem libertatis*. But the person applying for its interposition is also bound to make out a *prima facie* case perfect, so far as his obviously necessary knowledge admits. This has been the doctrine of the courts of England in all times past. Without going further back, I will content myself with noticing 3 Bl. Com. 132, answers of the judges, 1758, to Q. I. Chief Justice Wilnot's opinions, pp. 82, 87, and *seq.* and what is said by Lord Chancellor Eldon, in Crowley's case, 2 Swanst. 61. I was, therefore, surprised to see something like a doubt thrown on this doctrine, as if this writ were a writ of course in Hobhouse's case [3 Barn. and Ald. 20], and a dictum of Lord Kenyon's quoted for this purpose [in Flower's case]. The doubt was removed by what the court afterwards said in Hobhouse's case; and, in truth, Lord Kenyon's dictum does not warrant the inference drawn from it.

There was another question to be considered before issuing this writ, which was, how far a single judge of this court has power to issue it in vacation. This power might be supposed to be possessed either as sitting by virtue of the King's commission, with the powers and authority of a judge in equity, having power and authority to administer justice according to the rules and proceeding of the Court of Chancery in England; or as having the same authority with the justices of the Court of King's Bench in England. As to the first, I am satisfied the keeper of the great seal of England may, and always might, by the common law, issue writs of *habeas corpus* in vacation. My Lord Coke's opinion in several places in the 2d and 4th Inst., and my Lord Hale's in the *Pleas of the Crown*, vol. ii, p. 106, are, I think, sufficient; and if any doubt had been cast on this doctrine by what my Lord Nottingham did in the reign of Chas. II., when he was acting rather as a minister of the Crown than a judge, and setting no very wholesome precedent in either capacity, though it is with less than his usual caution quoted as an authority by Blackstone, this is completely done away by my Lord Chancellor Eldon's opinion in Thomkinson's case, 10 Ves. 106, and his elaborate and admirable argument in Crowley's case, 2 Swanst. But the power of the Court of Chancery to issue writs of *habeas corpus* is part of the common law powers of that

court, on what is called the Latin side of it, not connected with its jurisdiction as a court of equity; whereas the Chancery powers conferred on the Supreme Courts in India seem to be confined to an equitable jurisdiction, extending over the persons in the letters-patent described; and consequently they do not appear to me to possess the power of issuing writs of *habeas corpus* in that capacity. As justices having such jurisdiction and authority as the justices of the Court of King's Bench in England, I have no doubt the judges of the Supreme Court of Bombay have power to issue writs of *habeas corpus* in vacation, as single judges. We are here, in my opinion, somewhat differently situated from the other presidencies in India, the law of this island being, as I take it, under the charter of Charles II., granting this town and island to the Company, the law of England, as it stood at the date of that charter; namely, 21st Car. II., with some exceptions. But this makes no difference in regard to the power of the judges to issue this writ in vacation, because this is a common law writ, and I think there is no doubt that at common law a justice of the King's Bench might, at all times, and that they actually did in several cases, issue writs of *habeas corpus* in vacation long before the time of Charles II. Notwithstanding that there was a received opinion before the Restoration that in vacation the writ ought regularly to issue out of Chancery, and of this opinion were Lord Coke and Lord Hale [2 Inst. 53. 4. Inst. 1. 289. 2 Hist. Pl. Cr. 147]. Lord Coke says it could issue out of the Common Pleas only in term time, and in the case of a person having the privilege of the court. But this opinion of a limit on the power of the Supreme Courts of the King to administer relief where the liberty of the subject is concerned yielded to better consideration, and in Bushell's case (Vaugh. 156), which was decided in 22 Car. II., it was finally settled that a *habeas corpus* might issue from the Common Pleas, where there was no case of privilege, and it was said by Chief Justice Vaughan, in delivering the judgment of the court, that this was agreeable to all the precedents.

After the Restoration, the writ was constantly issued by the Chief Justice, and other justices of the King's Bench, in vacation, before the 31st Car. II.; and it had been so in some cases before the Restoration. In the Berwick case, 43 Edw., mentioned in 3 Blac. Com. 131 Note, the record of which case was searched for by my Lord Mansfield's direction, and is stated in substance in his judgment in "Rex v. Cowle," 2 Burr. 816. I think it was so in Bourne's case [Cro. Jac. 613], from what is there stated of the writ being the second time moved for in open court; and

and see Chief Justice Wilmot's opinions, p. 94, *et seq.*, and the approbation of this opinion of Chief Justice Wilmot by Lord Chancellor Eldon, 2 Swanst. 62. And I must think, with these two distinguished judges, that to have been law then it must have been always law: for there cannot be two rules of the common law at two different periods conflicting with each other. What is the rule of the common law now, must have been so before King Charles II. was born. It is well and truly said by Chief Justice Blackstone [1 Blac. Com. 70], that it cannot be said in any case, where a supposed rule of law is altered, that the former rule was *bad law*, but that it was *not law*, but erroneously determined. What is now settled, therefore, must always have been truly the rule of the common law; though a doubt may have been entertained upon it for a time and by some great names. I think the rule as now settled is within the great reasons of Chief Justice Vaughan's opinion and Chief Justice De Grey's opinion in Wood's case [2 Blac. 945], as approved by Lord Eldon, 2 Swanst. 66; and on full consideration I am satisfied that the present rule is the right one. And if I could have any doubt in England, I can have none here, on the principle laid down by Chief Justice Wilmot [Opinion 101]: "if they could not issue out of Chancery, it is the strongest reason that can be urged in support of the practice of issuing these writs by the judges of the Court of King's Bench, in vacation, before the statute, because there could not otherwise have been a perfect and complete remedy at all times for the subject against imprisonment for a bailable offence at common law;" and Lord Chancellor Eldon, quoting this authority, and putting the converse of the proposition, namely, that it had been agreed in justice that the common law judges should not issue the writ in vacation, as a proof that if this were so the Court of Chancery must have issued it, says (2 Swanst. 64, 68), "and I ask with Chief Justice Wilmot, if *Magna Charta* secured to the subject his liberty, and if it be a principle of our constitution that the courts shall give effect to the law, and that speedily, I ask what was to become of the liberty of the subject between *Magna Charta* and 31 Car. II., if the judges of Westminster held that those courts had the power of issuing the writ only in term, and if they were wrong in holding that the Chancery had at all times a power of issuing the writ? What must have been the state of the subject, and how can I reconcile that state with those admitted legal principles?"

In like manner I am clearly of opinion, that the judges of this court must have the power to issue this writ in vacation, if at all, in one capacity or other. I have

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doubts of their having the power as included in their Chancery powers; I have none as to their power as justices, having the same powers and authority with justices of the Court of King's Bench.

In order to determine the main question in this case, it is necessary to consider: 1. what the powers of the Court of King's Bench are in regard to the issuing writs of *habeas corpus*; and, 2d. how far the powers of the Court of King's Bench are conferred on the Supreme Court of Bombay.

1. There seems no doubt whatever that the Court of King's Bench has, and always has had, by the common law, the power of issuing the prerogative writs of the Crown into all the dominions of the Crown, and that the whole possessions of the East-India Company are dominions of the Crown. It were a waste of time to argue either of these propositions; but it may be useful, in order to a clear view of the subsequent part of the subject, to look into the doctrines laid down and established descriptive of the power of the Court of King's Bench. The power, authority, and jurisdiction, in the largest sense of the word, of judges and magistrates, consist of two descriptions of power, essentially different, and which are distinguished as well in the common apprehension of mankind, as in the more artificial classifications of lawyers. There is one power which consists in the issuing the commands of the sovereign, from whom all magisterial and judicial power and authority are derived, for the performance of something necessary to right and justice, or peace and good order; and another power which consists in the determining controversies between parties concerning matters of right, or the deciding on charges of crimes. The latter power is called *jurisdiction*, in a limited sense of the word; the *potestas jurisdictionis*, the power, as it were, *jus dicere*, to declare the law; the former has been called *power* in a limited sense of the word; *potestas imperii*, the power to command something to be done; the latter is properly a *judicial*, the former a *ministerial* power. These two descriptions of power are sometimes united in one officer or court, sometimes they are separated, one officer or court having a power to judge more or less extensive, with such ministerial power only annexed to it as is necessary; another having a magisterial authority to command certain things to be done, without any power to decide controversies or try causes; and, in some instances, the power of judging is less extensive than the power of commanding, vested in the same officer or court. This distinction is hinted by Lord Hale, in his little work entitled "*An Analysis of the Civil Part of the Law*," printed at the end of his *History of the Common Law*. He divides temporal magistrates into three kinds

kinds: military, maritime, and civil or common law magistrates [sect. 11]. He says, "the military, the constable and marshal, their power, so far as the common law takes notice of it, consisted of two parts, *viz.* of a kind of *mixtum imperium*, which principally was for the preservation of peace and ordering the army in time of war. A *jurisdiction* belonging to their court-martial, whereof before. The maritime is the admiral and those deriving power under them; their power likewise consists of a kind of *mixtum et subordinatum imperium* over the officers and seamen, especially in the King's fleets and yards: *potestatem jurisdictionis*, in relation to matters arising upon the sea. The subordinate civil magistrates (he previously defines the supreme magistrate to be either legislative—the Parliament, or executive—the King) are two kinds; such as have not only a civil power, which I may call *potestatem mixti imperii* (having, in sect. 4, described the first branch of the direct prerogatives of the King to consist of *majestatis vel summi juris*, i. e. the right of dominion), but also have a power of jurisdiction. Such as have a kind of civil power or *mixtum imperium*, but without jurisdiction (*vide* sect. 12). As to the former (i. e. persons who have both *potestatem mixti imperii*, and also a power of jurisdiction); the persons that exercise this power or jurisdiction are called judges or judicial officers; the places or tribunals wherein they exercise their power are called courts; and the right by which they exercise that power is called '*jurisdiction*' (i. e. in the most extensive sense of the word). It now follows that somewhat be said of those magistrates who have a certain *imperium*, but without jurisdiction, and these are called ministerial officers. Some officers indeed are simply ministerial, as clerks and officers in courts, *custodes brevium*, prothonotaries, the remembrancers, and chamberlains of the Exchequer, &c. But these, though they have a superintendency over their subordinate ministers, and a ministerial administration in courts of justice and elsewhere, I shall not meddle with in this place, but refer them to the several courts to which they belong. For those that I here intend are of a more public and common kind, and are principally these, *viz.* the sheriff of the county, who is the greatest ministerial officer; and I call him a magistrate, because he is a conservator of the peace of the county, and executes the process of the King's court. Constables and head constables: these, though they have not any jurisdiction to hold cognizance of any fact, yet are conservators of the peace, and have a kind of *mixtum imperium* relative to it. The Court of King's Bench will issue a writ of *habeas corpus* in the case of a military officer or soldier being confined by order of his command-

ing officer [Add. c. 2]; though, if it be a question of martial law, the court cannot interfere. [Blake's case, 2 Ma. and S. 128, Wade's case, 16 note.]"

In "*Grant v. Gould*," a rule *nisi* was granted for a prohibition to a court-martial, which is also a prerogative writ of the Crown, and in a case in which the court had no judicial power; on very full argument, the court held that the grounds were not sufficient to maintain the rule, and it was discharged; but no doubt was entertained of the power of the court to issue the prerogative writ on good cause shown, although they had no jurisdiction to try or to decide the cause. [2 II. Blac. 60.]

The powers possessed by the Court of King's Bench are divided under five heads by my Lord Coke, whereof three only resolve into the power of hearing and determining matters in controversy in the first instance. One refers to the right of judging on appeal, and the fifth regards a totally different authority, not concerning the having and determining of any matter in controversy, civil or criminal, whether in the first instance or by way of appeal. He says, "it is called the King's Bench, and the pleas thereof *coram rege*, because in this court, as Bracton saith, those *capitales justiciarii proprias res et causas terminant*," &c. Under these words "proprias causas" are included three things: first, all pleas of the Crown, as all manner of treasons, felonies, and other pleas of the Crown, which, *ex congruo*, are aptly called *proprie causae regis*, because they are *placita coronae regis*; secondly, regularly to examine and correct all and all manner of errors in fact and in law of all the judges and justices of the realm in their judgments; process and proceeding in courts of record, and not only in pleas of the Crown, but in all pleas real, personal, and mixed, the Court of the Exchequer excepted, as hereafter shall appear; and this is *proprium quarto modo* to the King in his court, for regularly no other court hath the like jurisdiction, and therefore may be well called *propria causa regis*, and these two be of high and sovereign jurisdiction; thirdly, this court hath not only jurisdiction to correct errors in judicial proceedings, but other errors and misdemeanors extrajudicial, tending to the breach of the peace, or oppression of the subjects, or raising of faction, controversy, debate, or any other manner of misgovernment; so that no wrong or injury, either public or private, can be done, but that this shall be reformed or punished in one court or other by due course of law. As, if any person be committed to prison, this court, upon motion, ought to grant an *habeas corpus*, and upon return of the cause do justice and relieve the party wronged; and this may be done though the party grieved hath no privilege in this court.

court. It granteth prohibitions to courts, temporal and ecclesiastical, to keep them within their proper jurisdiction; also this court may bail any person for any offence whatsoever; and if a freeman in city, burgh, or town corporate be disfranchised unjustly, albeit he hath no privilege in this court, yet this court may relieve the party. Fourthly, this court may hold plea by writ out of the Chancery of all trespasses done *vi et armis*, of replevins, of *quare impedit*, &c.—(See the second part of the Institutes, the 2d ch. of *Mag. Carta*, “*communia placita non sequantur curiam nostram*.”) Fifthly, this court hath power to hold plea by bill for debt, detinue, covenant, promise, and all other personal actions *ejectionis formâ*, and the like against any that is in *custodia marischalli*, or any officer, minister, or clerk of the court; and the reason hereof is, for that if they should be sued in any other court, they should have the privilege of this court; and lest there should be a fayler of justice (which is so much abhorred in law), they shall be impleaded here by bill, though these actions be common pleas, and are not restrained by the said act of *Magna Carta*, *ubi supra*. Likewise the officers, ministers, and clerks of this court, privileged by law in respect of their necessary attendance in court, may implead others by bill in the actions aforesaid. And all this appeareth by Bracton, who lived when *Magna Carta* was made *ubi supra*, where he saith, *ex aliorum omnium per querulam vel per privilegium sive libertatem*. And continually experience conurreth with antiquity herein.” [See Inst. 70.]

Of the five descriptions of power here mentioned, the first regards pleas of the Crown. The fourth, pleas by writ of trespasses *vi et armis*, replevins, *quare impedit*, &c. The fifth, pleas by bill for all personal actions, ejections, and the like against any in the custody of the marshal, or against an officer of the court, and such as may be brought by officers of the court, who are privileged to implead others by bill. The second relates to its appellate jurisdiction. The third description of power possessed by this court has reference to the supreme ministerial authority which is lodged in it, altogether separated and distinct from its judicial jurisdiction, or the power it exercises in the trying of causes, whether in the first instance or by way of appeal; being a sovereign *potestas imperii*, expressly described by Lord Coke, as “a power to correct errors and misdemeanours extrajudicial,” not by the way of trying, hearing, and determining, as in pleas of the Crown, but by issuing the prerogative and mandatory writ of the Crown, as of *habeas corpus*, prohibition, *mandamus*, and by bailing any person for any offence whatsoever. The supreme au-

thority of this court is further described by Coke: “It is truly said that the justices *de banco regis* have supremacy authority, the King himself sitting there as the law intends. They be more than justices in cire. The justices in this court are the sovereign justices of oier and terminer and gaol delivery, conservators of the peace, &c. in the realm. The justices in this court are the sovereign coroners of the land, and therefore, where the sheriff and coroners may receive appeals by bill, *à fortiori* the justices of this court may do it. So high is the authority of this court, that when it comes and sits in any county, the justices of cire, of oier and terminer and gaol delivery, they which have conuance, &c. [franchises and exempted jurisdiction of all sorts] do cease without an writing to them.”

(The remainder of this speech will be given in the next number.)

October 20.

The fourth quarter sessions commenced on this day, to which it had been deferred in consequence of the death of Sir C. H. Chambers.

The jury having been sworn, Mr. Justice Grant delivered the following charge:

“The affecting event which has devolved on me the duty of addressing you on this occasion will, I know, be received by all who hear me as more than an ample reason, in point of feeling, for my having delayed it till to-day. As a tribute to the memory of the amiable and distinguished person we have lost, if considered merely as a mark of respect to his memory, I should rather have to account for the interposing so short an interval before resuming the business of the court in which, had he lived, it would have been his place to preside, than to offer reasons for having extended it to these few days.

“But in performing the functions of a court of justice, private feelings must in many painful instances give way to public duty; and I could not but recollect that at these sessions it was my duty to consider myself bound to deliver the criminal side of the gaol of its miserable inmates with the least possible delay. It was, therefore, my first intention to have adjourned over only two days; but this I found impossible, from considerations of a public as well as of a private nature. I am not ashamed to confess, that I felt unequal to the undertaking the performance of important duties immediately after the shock I received from the loss of my estimable friend. Those who knew him less intimately, have felt his loss a severe affliction. I had just begun to appreciate his worth, when he was most unexpectedly removed from us, at a time when I had the most need of the support of his honesty, of the counsels of his prudence,

dence, of the influence of his temper, and of the comfort of his society.

"But there was much business of a public nature, and deeply concerning the administration of justice in this place, to be performed at home and in private, to which I was compelled to apply myself. I found that without some little pause in the business of the sessions, now unhappily cast upon me alone, I could not accomplish what I had to perform, though I should withdraw from it, as I have done, no time that the necessities of the climate did not render indispensable to repose. I therefore adjourned the sessions till this day, and I think I have adjourned them no longer than was absolutely necessary. But even this I have done with great regret and some compunction.

"Gentlemen: this, as I have said, is no place for the indulgence or the expression of private feeling. Duties of a still graver nature, and that ought entirely to absorb the mind, form the proper business of this place; but when I cast my eyes on those two vacant chairs that are beside me, and recollect that this from which I address you ought now to have been filled by the colleague I have just lost, I think it may be permitted me but for a few seconds only, and in a very few words, to give vent to a part of what I feel. To the memory of the Chief Justice an adequate tribute has been paid in part by a private friend, in a memoir which has been given to the public; but a yet more impressive and appropriate testimony to the virtues of his character has been given, in the address of the respectable native inhabitants of this presidency to my late brother and myself, to the benefits they had received from the integrity and firmness of Sir Edward West's conduct as a judge. I can add nothing to this testimony, and I will not weaken what I cannot add to. In the qualities of firmness and integrity, the colleague I have last lost was equal in every respect. Mild in his demeanor, gentle in his temper, of an equableness and placidity, which those who knew him not might have almost mistaken for indolence of mind. No man was more anxious in the discharge of his duty, more quick in discerning it, more laborious in research where it required more than the common learning, more fair in listening to the opinions of others, more clear in forming his own, or more firm in acting on it. Born with quick natural perception of all that is beautiful and harmonious, he had cultivated his taste with extraordinary success by an intimate knowledge of the polite literature of ancient and modern times, by as much application to the fine arts as his leisure would allow, and by an extensive acquaintance with the beauties of nature in various parts of the European world; yet did he find ample time to be an ad-

mirable lawyer, and to leave behind him works which give evidence of a sedulous application to some of the least inviting parts of the study. Bred and educated, and accustomed to live, among men who add the polish of refined manners to the dignity of virtue, the most finished education to the nicest honour, the most extensive intercourse with society and the concerns of public life to the purest morality, he was himself one of them. He could yield much, and forgive much; he could offend no one. But where it was a question of duty, he was as unbending as the sternest; where it concerned an imputation on his integrity, it shook him with a power which those only can estimate whose honour is as pure and as sensible.

"Left myself alone to discharge the whole duties of the administration of justice in this place, I am duly sensible of the weight that is thrown upon me; but it shall only quicken my vigilance and strengthen my exertions. Placed here by my sovereign to perform the duties of this office, it is not permitted me to judge of my fitness or unfitness to discharge them. What I may want in other respects I will endeavour to make up by industry, and of this at least I can assure you, that no considerations will induce me to shrink from the due discharge of my important duties. And, gentlemen, what is the duty of a judge? It is at least very simple. He has to open his eyes and read the statutes: he has to make himself acquainted with the learning of antiquity, and to add to it such lights as have been thrown upon the law by the decisions of more modern times; but, having thus made himself acquainted with the law, he has nothing to do but to pronounce it, and to leave its execution to its due course. With the consequences he has nothing to do, and of those, the law, for the wisest and most necessary purposes, has appointed that others shall judge, not those who occupy the seat of justice. In whatever circumstances I may be called on to discharge this duty, I shall do it, I hope, with the temper which its grave and anxious nature demands, and I will certainly do it with all the firmness also."

The learned judge then proceeded to speak of the state of the gaol, of the police, and of the calendar.

## MISCELLANEOUS.

### NATIVE JURIES.

Since the introduction in the Supreme Court of Judicature at this presidency of mixed juries (*juries de medietate lingue*), we have not had a single opportunity until the present sessions of speaking as to the effect of the new measure on the formation of verdicts, or of the benefit, or otherwise, which has generally resulted from  
its

its adoption. We are now, however, enabled to say, from a few days' experience, that the most happy results have flowed from the admission of the natives to sit on juries. From the moment they enter the box they seem to feel the solemnity and importance of their situation; they pay undivided attention to the evidence as it is delivered, and are always ready to interpret and explain to their European colleagues such parts of it as the latter may not distinctly have heard or understood. When they are in doubt on any questions within the province of a jury to consider, they do not hesitate to ask the assistance of those who have had longer experience than themselves; but when they have arrived at a clear opinion, we find them as firm in maintaining it as the stubbornest John Bull who ever a "true verdict gave according to his conscience." Nor are the modesty and diffidence of native jurors less conspicuous than their zeal and honesty. The duties of the foreman of the petit jury in no wise differ from those of his eleven brethren, than that he has to collect their sentiments and deliver the verdict to the clerk of the crown. It is therefore customary to assign the office to the person whose name is first called; but in the case of a native's being the first, we observe he invariably surrenders the foreman's seat to the European who shall succeed him, even though his remaining in it imposes scarcely any additional responsibility upon himself. Altogether the natives seem every way fit for, and worthy of, the privilege of sharing in the performance of the public duty of deciding on criminal cases, and the Legislature may therefore congratulate itself on the opportunity afforded it for an exercise of liberality to its own advantage, and the honour of those on whom the privilege has been conferred.—*Bomb. Cour.*, Oct. 25.

In a subsequent paper (of November 1), the same writer assigns very strong reasons why his readers should form a very different opinion.

At the quarter sessions a trial took place, on the 29th October, arising out of the disputes amongst the Persians respecting the Kubbees controversy. The prosecution was for an assault alleged to have been committed on the person of a servant of a Parsee post-master by two padriés, into whose *aug'earree*, or fire-temple, it appears the prosecutor had intruded. After a host of contradictory and conflicting evidence on both sides, the prisoners were found guilty. Whilst the trial was proceeding, a scuffle took place between two of the witnesses, one on either side, in the verandah of the court-house. Mr. Justice Grant ordered both before him, and endeavoured to ascertain who com-

mitted the assault. "Such, however," it is stated, "was the falsehood and prevarication of these reverend pugilists and their friends the by-standers, one swearing to a pointed contradiction of the assertion on oath of another, that his Lordship failed in ascertaining the author of the assault, and committed both parties for contempt." He subsequently discharged the witness who asserted he had been struck, in consequence of the other witness (the assailant) having proved in the course of the trial to be utterly unworthy of belief.

The editor of the *Courier* then subjoins the following remarks:

"It is worth mentioning, however, as a further instance of the utter disregard of honesty which marks the actors in this celebrated contest, that for some days previous to the above-mentioned trial taking place, the greatest efforts had been used by the rival factions to influence those persons of their acquaintance who were likely to serve on the jury. Presents were openly offered, and promises unceremoniously held out, to induce parties to compromise their consciences, and give a verdict in favour of the friend of the party applying. We know one person who was solicited by both sides to influence, if it were possible, his fellow jurors. We also know, and we should not be discharging our duty if we omitted to mention it, that similar endeavours to bias jurors were made last week in favour of a Hindoo of some respectability, who was to be tried for a burglary and also for an assault.

"Let these facts be borne in mind by those who are for conferring on the natives the privilege of sitting on juries in *civil* cases, where questions involving claims to property are constantly brought on the tapis, and let them be cautious how they thus open new fields for fraud, perjury, and every species of deceit. We have on a former occasion recorded our opinion of the impolicy of giving to persons of such palpable moral unfitness as the natives of India the power of deciding on the merits of disputes in which they themselves, unknown however to those around them, may have an interest; and we here repeat it, convinced as we are from further experience, that the boon would prove the most serious obstruction to public business, and destroy the whole tone of our legal proceedings."

The writer confines his objections to the natives sitting as jurors in *civil* cases only; but the facts he has stated, and from which he appears to deduce his conclusions, are confined to *criminal* cases. His closing remark is, that "those who would unscrupulously let another to perjure himself to serve a turn, will not mince matters when every thing depends on their own violation of an oath;" and this remark is equally applicable to both classes of cases.



## VISIT OF THE GOVERNOR TO SATTARAH.

An account of the Governor's visit to the Rajah of Sattarah is given in some letters published in the *Bombay Courier*.

On the 6th of November, Sir John Malcolm's visit to the Maharajah took place, on the south bank of the Yena river, about two miles from the palace. The *istakbul* was splendid. His highness, attended by his relations, mounted on elephants, with rich trappings, was preceded by 100 peons, and followed by his own native horsemen glittering in green and scarlet. The Governor was preceded by peons, and followed by a numerous suite, 200 of the Madras cavalry, and some irregular horse. The Maharajah and the Governor arrived at the same instant, when the embrace of welcome was given, as is usual on such occasions among the Asiatics. The Governor and Maharajah having then mounted the same elephant, a salute of twenty-one guns, on the part of the Company, was fired in honour of his Highness. Followed by their respective suites, they proceeded through a street formed of the Company's and his Highness's own troops, until within a few hundred yards of the palace, when a salute of nineteen guns was fired, on the part of the Rajah, in honour of the Governor. Having soon after alighted, they, and the gentlemen present, attended the durbar; after which the Governor and his suite returned to their encampment. Next day the Maharajah returned the Governor's visit at his tents. In the afternoon he accompanied the latter to the Adawlut, the fine aqueduct lately constructed for supplying the town with water, and the new building called the Julmundul. This last is a large room, just a counterpart of the residency, built for the reception of his European guests. It is situated in a garden, tastefully laid out in small flower-pots, divided by gravel walks, with numerous fountains, that keep playing around it on occasions of ceremony. The whole is highly creditable to the Rajah's taste. Here, at the Rajah's invitation, on the afternoon of the 12th, nearly sixty gentlemen sat down to dinner; an excellent repast of native dishes, fruits, and sweetmeats, was served up to them, on plates and tables, in the European style; while plenty of generous Champagne crowned the banquet with hilarity, and warmed the feelings of the guests. Immediately afterwards, the Maharajah held a durbar, and in the evening led his visitors through the town, which was illuminated, to see some fire-works, at a finely selected spot for this occasion, where the whole of the native population, perched on the surrounding heights, gave an animated beauty to the naturally picturesque appearance of the place. On the 16th the Governor, after visiting Mahabuleshwur, left Sattarah, on his route to the

southward, to visit the ruins of Beejapoor, which one of the most distinguished men who ever sat on the bench in India has pronounced to be the Palmyra of the Deccan. The writer concludes thus: "The impressions made on the Governor by his trip to this part of the Deccan have been, I believe, most favourable; and, indeed, every one must be gratified at the gradually augmenting spirit of improvement which appears to operate in these times. Instead of the wild marauding habits of the natives, peaceful and industrious ones have been substituted; and, though there may be fewer rich men in the country than when the whole plundered wealth of Hindostan was brought to these parts, the poorer classes in the Rajah's dominions are better protected and more thriving than they have been. The very general existence of the mail roads, the well populated and comfortable state of the villages, serve to proclaim that where there is a just chief, there all classes of the native community will thrive better (by the bonds of interest and relationship, as established among themselves, being allowed to operate), than where the too frequently unskilful interference of Europeans, fond of introducing innovations without considering the spirit of the people, only tends to upset the prosperity it was intended to promote."

## THE PRESS IN PORTUGUESE INDIA.

The following has been issued by the Government of Demaun.

## A Ban.

Juliao Jozé da Silva Vieira, Commandatory in the Order of Christ, honoured with the Order of St. Jean of Jerusalem, and with the medal of Fidelity, Governor of the Fort and Town of Demaun, Chief Commander of the Troops of its Garrison, by H.M.F. Majesty, the King our Lord, whom God preserve, &c. &c.

I make known, that hereafter it is forbidden in this place the circulation of books, periodicals, or any other strange papers printed in foreign kingdoms, without plain order of the government; to whom the persons who possess them, or to whom they may henceforth be sent, must tender them immediately, for obtaining leave for their circulation, if it be thought convenient; and the transgressors of this order shall be punished according to the ordination of the kingdom, book 5th, tit. 102, and several other existent laws on this subject. And for the acquaintance of this, I command that this shall be published in the public places, with beating of drums; and for its execution, it must be registered in the competent stations—Fort of Demaun, 10th of December 1828.—It was written by me, the Secretary of the Government,

Government, Joaquin Jacob Salvador Fernandes.—Juliao Jozé de Silva Vieira.

#### BIBLE SOCIETY.

The annual meeting of the Bombay Auxiliary Bible Society was held on Saturday last. The report of the committee stated, that during the last year 6,776 copies of parts of the scriptures in the Mahratta language had been issued from the depository; a great portion of these are in use in the different mission schools in Bombay and in the Southern Concan; many have been given to individuals who have applied for them with a view to become acquainted with the facts and doctrines of Christianity; a greater number have been distributed in the island of Bombay than in any former year. The number of copies of parts of the scriptures in the Goojarattee language distributed during the year is 3,393. These have been chiefly dispersed in Goozurat by the missionaries, who have made extensive tours through that province; and it was observed that in many cases, on revisiting places where copies of the scriptures had been left in former years, it was found they had been read; and in some cases that a tolerable account was given to the missionary of the contents of the book which had been received. As there are many natives of superior education who read the Bulbooth character, the Society has determined on printing an edition of the Goojarattee scriptures in that character; and it is hoped that it will be read in the districts bordering on Rajpootana and Malwa.—*Bom. Cour.*, Oct. 4.

#### DISTURBANCES IN MALWA.

“Letters from the native agents at Paulee, a place so called in the interior of Malwa, where all the Demauu dealers in opium carry on their transactions, state that that place has been lately annoyed by disturbances among the two brothers, rajahs of the place; consequently, they have imprisoned all their own subjects, demanding a levy from them to carry on the expenses of the intended war. Therefore, if their such design is carried into effect, I do not presume we shall have more than about 600 to 800 chests of drug at Demauu for exportation next year; this is really what has been already on the way, and detained from reaching Demauu by the rains; but no fresh intercourse can be carried on with that country until the termination of the present differences, as the drug has to pass through Malwa by Paulee, that being the most convenient and nearest route to come down to Curranchee, and thence to Demauu; and between Malwa and Paulee the brother of the Rajah of Paulee has commenced plundering the properties of the merchants; and I am sure a whole season

will elapse before the out-turn takes place. The other, or upper route of Paulee, being far distant, it is very inconvenient for the dealers to insure the safety of their property.”—*Calcutta Press*.

#### NEW WEEKLY PAPER.

The proprietors of the *Bombay Courier* have announced their intention of publishing a new journal, of eight quarto pages, to be called the *Mercury*; the first four pages to consist of Asiatic intelligence, and the last four of European news. The paper was to appear on the 1st January, and to be published every Tuesday.

#### NATIVE MUNIFICENCE.

Motichund Amichund, a principal Savick Banian merchant, and inhabitant of this place, has constructed an elegant temple at Bycullah, of the best northern yellow stones. On Monday last a great number of persons, of the same caste with himself, assembled at Motichund's house in the fort, and proceeded to carry images thence to his house at Bycullah, attended by a *cortege* of carriages, buggies, and palanquins, and bands of English and country music. Yesterday the temple was duly consecrated, and a handsome image, called Shree Audeeswur Bhugwan, placed therein. The attendance of Banians on this important occasion was immense, for the intelligence of Motichund's pious and charitable intentions had spread far and wide, and had brought Savick Banians of the best reputation, and of both sexes, from the most remote distance; some actually came 400 or 500 miles to view so famous a temple, and to assist at its consecration. Dinners to the Banian visitors, both of Bombay and Guzerat, have been given every day since the 4th inst., and still continue. It is no exaggeration to say that thousands are fed by the munificence of Motichund Amichund. A similar temple was built some time since in Guzerat; but this has not satisfied Motichund; he desires that Bombay should also possess a permanent record of his charitable disposition.—*Bom. Cour.*, Dec. 13.

#### SIR HENRY BRADFORD.

Sir Henry Bradford, the Commander-in-chief at the presidency (whose death was announced in some of the London papers a month or two back), is about to take his departure for Europe.

#### SHIPPING.

##### Arrivals.

Nov. 5. Bolton, Clarkson, from London.—17. Upton Castle, Thacker, from London.—20. Cumbrian, Blyth, from London.—22. Triumph, Greed, from London, Cape, and Isle of France; and Mountstuart Elphinstone, Henning, from China.—24. Milford, Jellicoe, from Calcutta.—25. Gipsy,

say, Quirk, from Liverpool.—28. *Scotia*, Simson, from Newcastle.—29. *Sir Francis Burton*, Reid, from Liverpool and Rio de Janeiro; and *Burnaby*, Manning, from Calcutta.—30. *Recovery*, Chapman, from London.—Dec. 4. *Bride*, Brown, from London and Cape Ceylon, Davidson, from Ceylon; and *Y Achille*, Seignac, from Bordeaux.—12. *Dublin*, Stewart, for London.—14. *L'Eliza*, Mornus, from Bordeaux.

#### Departures.

Sept. 15. *Palamban*, Nash, from Calcutta.—25. *Mountaineer*, Canny, for Madras and Calcutta.—26. *Mary*, Guy, for Isle of France.—28. *Harlequin*, Omay, for Isle of France and London.—Nov. 11. *Crown*, Baird, for Liverpool.—12. *Fifthshire*, Crawley, for Ceylon and Calcutta.—17. *Sursey*, Kemp, for London.—18. *Captain Cook*, Willis, for Liverpool.—21. *Cartha*, Lindsay, for Madras and Calcutta.—23. *James and Thomas*, Asbridge, for London; and *Neerudda*, Patrick, for Isle of France.—Dec. 5. *Esther*, Robinson, for London.—7. *Dorothy*, Garnock, for Liverpool; and *Charles Kerr*, Brodie, for London.—13. *Benegal*, Bisset, for Liverpool.—14. *Consbrough*, Strachan, for Liverpool.—15. *Uster*, Shannon, for London; and *Isabella*, Fox, for ditto.—23. *Gipsy*, Quirk, for Liverpool.—27. *Mount-stuart Elphinstone*, Henning, for London.

#### BIRTHS.

Oct. 20. At Colabah, Mrs. Spencer, of a daughter.  
25. At Poona, the lady of Capt. Moore, of a daughter.  
26. At Bombay, the lady of Capt. J. M. Guy, H.C.'s marine, of a still-born child.  
31. At Mazagon, the lady of D. Campbell, Esq., Queen's Royals, of a daughter.  
— At Kirkree, the lady of Capt. H. Sharpin, H.M.'s 4th L.D., of a son and heir.  
Nov. 8. At Newland, the lady of Major Dickinson, of a son.  
10. At Bombay, the lady of Capt. Wyndham, H.C.'s marine, of a daughter.  
14. At Dapoolce, the lady of Capt. J. Forbes, 20th N.I., of a daughter.  
19. At Byculia, the wife of Mr. T. Cook, marshal of the house of correction, of a daughter.  
21. At Randal Lodge, the lady of Capt. J. H. Dunsterville, agent for clothing the army, of a daughter.  
24. At Prospect Lodge, the lady of T. G. Gardiner, Esq., of a daughter.  
— At Bombay, the wife of Mr. R. White, of a still-born child.  
28. At Cocanada, the lady of J. T. Anstey, Esq., civil service, of a daughter.  
Dec. 9. At Cavel, the wife of Mr. P. A. de Souza, organist of St. Thomas's Church, of a son.  
10. At Colabah, the lady of Capt. Griffiths, H.M.'s 6th regt., of a daughter.  
12. At Bombay, the wife of T. Crawford, Esq., of a daughter.  
13. At Colabah, the lady of Capt. Andrew Fraser, postmaster at Jaulnah, of a daughter.

#### MARRIAGES.

Nov. 12. At Bombay, Lieut. T. Brown, 11th N.I., to Mary Charleston, daughter of Lieut. Col. Kennett, 23d N.I.  
13. At Bombay, Fitzherbert Williams, Esq., 2d Gr. Regt., to Maria Sarah, eldest daughter of the late John White, Esq., H.M.'s 17th Drags.  
14. At Poona, Mr. L. L. Fidler, draftsman to the statistical reporter to government, to Mrs. Johnstone, relict of the late Troop Qu. Mast. Johnstone.  
18. At Severndroog, T. H. Graham, Esq., to Jane, daughter of Dr. J. A. Maxwell.  
Dec. 1. At Poona, Capt. Clarkson, commanding the ship *Boton*, to Miss Earle.

#### DEATHS.

Sept. 21. At Colabah, Lieut. Warrington, H.M.'s 6th regt.  
Oct. 14. At Bombay, Margaret, wife of the Ven. Archdeacon Hawtayne, and eldest daughter of the Hon. Sir John Franks, judge of the Supreme Court, Calcutta.  
Nov. 11. In the fort, at Bombay, Framjee Jewajee, a respectable Parsee merchant, aged 39.

Nov. 11. At Bombay, Lieut. Col. N. C. Maw, 1st or Gr. N.I.  
15. In the fort, at Bombay, Muncherjee Eduljee, a respectable Parsee merchant, aged 29.  
18. At Bombay, Mr. James Howe, assistant to the superintendent of the *Courier* press, aged 33.  
30. At Surat, the Rev. Fr. George De Gones, a Capuchin missionary, aged 54, attached to the Capuchin Mission Church at Madras.  
Dec. 4. At Belgaum, Mr. Joaquim Joseph Fernandes, late of Malwah.

6. At Indore, Capt. Fred. Dangerfield, of the Bombay army.  
9. At Mazagon, G. B. Walker, Esq., captain in the H.C.'s Bombay marine, aged 40.

## Ceylon.

#### SHIPPING.

##### Arrivals.

Oct. 7. *Seppings*, Loader, from London.—21. *Amity*, Gray, from London.—Nov. 11. *Maitland*, Short, from London; and *James Sibbald*, Cole, from ditto.—22. *Cornmandel*, Hayes, from London; and *Arab*, Lowe, from ditto.

##### BIRTHS.

Sept. 15. At Colombo, the lady of C. E. Layard, Esq., paymaster-general, of a daughter.  
At Galle, the lady of Capt. Dalzell, 16th regt., of a daughter.  
Oct. 21. At Colombo, the lady of Lieut. Col. Fraser, dep. qu. mast. gen., of a daughter.  
Dec. 3. At Colombo, the lady of M. Gibson, Esq., of a daughter.  
7. At Kandy, the lady of Lieut. Col. Lindsay, H.M.'s 78th Highlanders, of a son.

#### MARRIAGES.

Oct. 2. At Pantura, Henry Perera, Esq., to Petronella, daughter of G. J. Poulter, Esq., sitting magistrate of Pantura.  
21. At Colombo, J. G. Frith, Esq., to Caroline Louisa, second daughter of C. E. Layard, Esq., paymaster-general of Ceylon.  
27. At Colombo, Mr. P. E. De Silva, medical sub-assistant, to Miss Caroline Robinson.  
Nov. 26. At Galle, Mr. J. G. Kern, to Miss J. P. Mattheys, the only daughter of Mr. H. Mattheys.

#### DEATHS.

Sept. 15. At Colombo, Mrs. Anna Catharina Boschard, of Batavia, widow of Mr. Christian Frederic Strasburg, apothecary in the Dutch E. I. Company's service, aged 90.  
20. At Calpenty, David Marianne De Rosario Pulle, Maniegar of Putlam.  
Oct. 31. At Galle, John Tranchell, Esq., sitting magistrate of Belligum.  
Nov. 30. At Colombo, the Rev. Andrew Armour, one of the colonial chaplains on the ecclesiastical establishment of this island, and minister of St. Paul's Church in the Petiah.

## Penang.

#### CIVIL AND MILITARY APPOINTMENTS.

*Fort Cornwallis*, Sept. 1, 1828. — Mr. Thomas Church to be deputy resident at Malacca.  
Mr. John Pattullo to be deputy resident at Prince of Wales Island.

Mr. Patrick Ogilvie Carnegie to be 1st assistant to resident at Prince of Wales Island.

Mr. J. W. Salmond to be 2d assistant ditto.

Capt. James Low to be superintendent of lands and external police.

Messrs. J. Pattullo, P. O. Carnegie, J. W. Salmond, A. M. Bond, and B. Weeding, to be commissioners of Court of Request at this settlement.

The Commissary General, and Messrs. J. W. Salmond and A. M. Bond, to form a committee for controlling expenditure of stationery.

Sept. 20. — W. B. Kerr, Esq., to be sheriff of Prince of Wales Island, Singapore, and Malacca for ensuing year.

Sept. 30.—Lieut. Goldingham, Madras Artillery, to be executive officer of public works at Singapore.

#### FURLONGHS.

To Europe.—Sept. 25. Lieut. Trotter, 25th Madras N.L., for health.—Oct. 27. Lieut. Watkins, 4th bat. Madras Artillery, for health.

#### THE PRESS.

A long correspondence appears in one of the Calcutta papers respecting the suppression of the *Penang Register*, between the secretary of the government (Mr. Anderson) and Mr. Balhetchet. It appears that two paragraphs,\* erased by the censor from the paper, were published to the subscribers in a separate hand-bill (mentioning their erasure), in palpable evasion of the law respecting the press. The secretary, accordingly, applied (8th September) to Mr. Balhetchet, considered by the government to be the editor of the *Register*, for an explanation, adding that "the present is not the first instance which has attracted the notice of the governor in council." Mr. Balhetchet (18th September) returned the letter, and disclaimed the title of editor; upon which the secretary (20th September) advertising to a correspondence between Mr. B. and Mr. Fullerton, at the licensing of the paper in 1827, observed that the governor in council could attach no other meaning to the words in Mr. B.'s letter than that he avowed himself to be the editor; and without the avowal of some person in a respectable situation in that capacity, the government would not have sanctioned the publication. As Mr. B. had declined the opportunity of explaining the act complained of, the governor was obliged to decide on the case as it stood; and the secretary informed Mr. B. that his license, granted in 1821, was withdrawn, and that he was directed to quit the presidency within two months. The license to publish the *Penang Register* was likewise withdrawn.

In reply to this communication, Mr. Balhetchet, after renewing his disclaimer of the title of editor, to which he asserts he never rendered himself either legally or officially liable, and after disavowing any disrespect to public authority by returning a letter with an erroneous address, proceeds to justify himself from the offence which is assigned as the ground of his order of removal. He explains his motives for applying (privately) to the governor, on the subject of the paper, to which he intended to assist with funds and occasional writing. "Taking," he observes, "as I had been frequently

\* One containing insinuations on an act of government affecting one of its servants; the other, stated to contain "most injurious insinuations against a public officer of government, unsupported by facts, and at variance with both."

called upon to do, a leading part in the public business of the community, in which it was natural that I must, as I had occasionally done, come into unpleasant collision with the members of government. I concluded that there might exist some objection to a person so situated possessing himself of any share in or influence over an instrument of publicity so jealously watched as is the press in India; and therefore, after consulting upon this point with gentlemen of high rank in the service, I deemed it advisable to make a private communication to the Hon. the Governor, as the most delicate way of ascertaining his sentiments, and of receiving his dissent should he not approve of it." Had he been aware that he would be responsible, he should have declined interference; and he could not have been aware that the government considered him as responsible. The license to print and publish the paper was granted to Mr. Norman McIntyre (as appears by the documents he subjoins to his letter), who "was holding situations of much public trust and confidence both under government and the court of judicature." The official letters of government were always addressed to Mr. McIntyre, till the present occurrence. He adds that not an hour before he received the secretary's letter, addressing him as editor, he had been informed by Mr. McIntyre, that a prosecution was to be commenced against the paper; "and I leave it to the decision of the hon. the Governor in council," he remarks, "whether the conclusion that I immediately drew was not, under circumstances, exceedingly natural, i.e. that the secretary was for the first time seeking, by thus addressing me, to establish a proof of responsibility on my part for the conduct of the paper, by my receiving and answering his letter so addressed." In regard to the erased paragraphs, he says: "I do not perceive what affinity there can be between the political views of government and the two paragraphs in question; one of which was written with no other earthly view than that of paying a well-merited compliment to a deserving individual (Mr. Caunter), about to retire unexpectedly from a community in which he had rendered himself esteemed and respected; and the other under an impression, from the report of the fact as stated in the accompanying affidavit, that an insidious attempt had been made to entice from the printer some of his establishment. Why these articles re-appeared in hand-bills after being erased by the censor, I will explain to the government, although I do not consider myself answerable for the circumstance. The party to whom the first article related is well known to have been for some time past

privately objectionable to the gentleman exercising the office of censor (Mr. Anderson, the secretary), and this was confirmed by feelings publicly expressed in the court of judicature, during a recent trial there of a suit between the parties; it was therefore presumed that this article, cleared as the publisher thought it from all animadversions upon the conduct of government, was struck out of the paper from motives of private pique, dissenting from the general opinion; and as the other article, which was held to be personal, was unauthorizedly and without reference, pronounced on the proof sheet to be *untrue*, while the fact of the case was fully substantiated with the publisher, it was deemed better to make the government at once aware of the caprice to which the publisher was subject; under a full conviction that articles much more particularly relating to the acts of authority, and commenting thereon, had been frequently allowed to pass unnoticed. There is another point to which I am desirous of soliciting the attention of government, which, although private feelings may not be always consistently regarded in official business, I respectfully presume may be deemed correctly alluded to in the present instance: the proof-sheet was with the censor an unusual length of time, and after being sent away by him to be returned to the publisher, was recalled and retained again nearly an hour. During this period, the censor had abundant leisure to have asked for an explanation upon the paragraph of which he denied the authenticity; but instead of taking an amicable method of ascertaining the ground of the statement (which, had he but denied a knowledge of the circumstance, would have been struck out), after scribbling over and cutting off the greatest part of the margin of the sheet, he suddenly, as it would seem, determined to falsify the fact, without knowing, or deigning to inquire, how far he was justified in this imputation of falsehood against the author of the paragraph. If the secretary of Government intended the uncourteous contradiction to apply to the publisher, I respectfully submit to the Hon. the Governor in council that the relative situations of the parties rendered his so doing indecorous; if to me, as the supposed author of the article (and this idea is strengthened by the address of his immediately subsequent letter), it was, from my station in society, very rude and unbecoming, and calculated to, as it did, raise in me a feeling that the official occasion was seized upon for the purpose of conveying to me an insult, that in private intercourse no gentleman can be permitted to convey to another with impunity." Mr. B. complains that the proprietor of the *Register*

had been treated unfairly by the government, which, without any expression of dissatisfaction, had withdrawn the government printing, the chief support of the press, and had ordered a printing press from Calcutta to be established in opposition.

In return to this letter, the secretary (1st October) considers that by Mr. Balhetchet's confession, that he "studiously avoided adopting any character in connection with the paper, which might incur liability for its public results;" he wished to reserve the right of inserting such articles as he pleased, devolving the responsibility on another who merely superintended the machinal operation of printing the paper. The question, he says, is whether Mr. B. did actually compile and superintend the publication of the *Penang Register*, which he had not denied, and the governor had sufficient information, oral and written, to satisfy him on that point: "it is on moral conviction, and not on legal proof, that his decision will, on this case, be formed." The secretary points out several aggravating circumstances in the act, complained of, and remarks: "You appear to ascribe the act of the censor in objecting to the first article to personal animosity against the subject of the panegyric which it contained; and that in respect to the second article, to the same personal motive against yourself. The Governor in council cannot believe you to be ignorant, that the secretary and censor acts and writes under the express dictation of Government, and is the mere instrument of communicating their orders and opinions; and the practice now pursued by you, and not unfrequent in this settlement, of pretending to consider public orders as those of an individual, is only offering insult to Government under the flimsy cover of affected ignorance, confounding the acts of Government with the petty alterations of the place, and imputing motives by which their public measures can never be actuated." The secretary justifies the act of government in resorting to another press, on the ground that it had a right to get its work done where it was cheapest. He complains of the general tone of indecorum which had distinguished the paper for some time past, which had been tolerated till the authority of the government was insulted. The government, however, unwilling to subject Mr. Balhetchet to the inconveniences he specifies in his letter, suspends the recal of his license till he had sufficient time to adjust his affairs.

In the concluding letter (October 13), Mr. Balhetchet remarks as follows:—"There would seem to be a misconception with regard to my statement respecting the secretary to Government's motives

tives for striking out the paragraph just alluded to. It was never my intention to ascribe it to *personal animosity* against myself! It is scarcely possible that any should exist in the breast of one who for many years have been fully sensible that *I bore him* no ill-will, or I could never have resisted the ample scope afforded me, in matters totally unconnected with the paper, for its full gratification, to his most serious prejudice. No, Sir, that was not my idea: I attributed what happened only to that hasty and sometimes heedless temper which it is well known has on former occasions led to the instant commission of acts that have caused the party much subsequent regret. I am aware that the secretary to government and censor is supposed to act and write only under the dictation of government; and the imputation of offering insult to government by considering public orders as those of an individual, although unintentionally offensive, might be deemed to have some foundation, if the strict line of duty had been rigidly adhered to in the conduct of that officer towards the register; but it is to be presumed that a reasonable allowance may be made for the inaccuracy of those acting under authority, when the authority itself was the first to set the example of deviation, by intruding his private wishes and feelings into the duty of his public calling; some instances of which are recorded on the proof sheets in the censor's own handwriting, but would never have been thought worthy of notice, had not the displeasure of government arisen upon matters with which they have an intimate connexion, and rendered them necessary references for a fair exhibition of the system pursued towards that journal."

A new paper has appeared, denominated an official journal, bearing the title of the *Government Gazette of Prince of Wales' Island, Singapore, and Malacca*, published every Saturday morning. The editor is understood to be an officer of the Madras establishment belonging to one of the corps serving in the united presidency.

#### MISSION TO BATAVIA.

The Hon. R. Ibbetson, Esq., resident councillor on this island, embarked on the 8th November on board the H.C. frigate *Hastings*, on a mission to Batavia.

### Singapore.

#### DEATH.

July 27. Fred. Geo. Cornish, Esq., of the Bengal civil service, youngest son of Geo. Cornish, Esq., of Salcomb House, Sidmouth, county of Devon.

### Malacca.

#### ANGLO-CHINESE COLLEGE.

The sixth report of the Anglo-Chinese college of this settlement appears in the *Malacca Observer* of October 7. It commences with a tribute to the memory of the Rev. David Collie, the late principal.

Mr. Collie was a native of the north of Scotland; he was prepared for missionary labours, first at King's College Aberdeen, and afterwards at the London Missionary Society's seminary, under the late Dr. Bogue. During his five years' residence at Malacca, he had applied himself closely to Chinese literature, and has left several small tracts on religious subjects, in the Chinese language, besides a translation of Dr. Bogue's essay on the New Testament. He also translated from the Chinese the 'Four Classical Books,' which work has just been printed; it is accompanied with notes and illustrations. Mr. Collie did not live to see the work through the press. Before he was taken ill, he had dated the preface in March, expecting that it would be finished by that time; but he died on the 26th February, while on his voyage to Singapore, with the ulterior view of proceeding to England or the Cape of Good Hope, for the recovery of his health.

The Report then states the proceedings of the past year; the following are extracts:—

"The studies of the college have been carried on much as usual. At the present time there are twenty-five students on the foundation, and eight candidates for admission. During the past year five have been received into the Institution, and three have left it. One of these had remained longer than the usual time as an assistant in the schools of the town. The other two, we regret to say, manifested no disposition to profit by the advantages afforded them: their irregular attendance (of the consequences of which they had been often warned), subjected them to fines which it was deemed necessary to inflict for the sake of others as well as themselves; and their refusing to submit to them was the cause of their dismissal.

"As the primary objects of the institution are the cultivation of English and Chinese literature, the labours of the students are divided between the acquisition of these respective branches of knowledge; and nearly an equal proportion of time is allotted to each. The first class has studied geography with the use of the globes, and is now going through a course of lectures on the principles of astronomy. Some of them have attended to mathematics, in which they have proceeded to the third book of Euclid. Part of a catechism on miscellaneous subjects, containing a general

neral outline of astronomy, geography, morality, &c. has been translated by them; and one of them who has now left had commenced the study of general history. This class is employed at present in translating portions of Joyce's scientific dialogues into Chinese. The boys are accustomed to render verbally out of one language into the other, are rigidly exercised in parsing, and required to give the corresponding terms in Chinese of each word or phrase, as it occurs, and to furnish the appropriate rules of syntax:—a portion of their time is employed in writing, and in studying arithmetic:—they have committed to memory Murray's abridgment of English grammar, and are going through his exercises on rules for parsing. They also write English translations of Chinese works, and have some of the best of their own books read and explained to them by a native teacher. The boys of the second class study Chinese rather more closely than those of the first:—they are occupied in writing, in arithmetic, in learning colloquial sentences of Chinese and English, and in translating alternately from one language into the other.

The junior classes are employed on the elementary parts both of Chinese and English—they are daily exercised in turning Chinese into English and *vice versa*; and in committing to memory easy sentences of English with a Chinese translation.—All the students are early taught to distinguish the different parts of speech, and to assign to each word its specific meaning in the other language. It is rather unfortunate, that for the grammatical terms in the English there are no corresponding ones in the Chinese. Words in the latter answering to verbs in the former, are indeed designated as living characters, and those which correspond to substantives as dead ones, but then by merely changing the position of a word, it may become any other part of speech. Position, not concord or government, is the distinguishing peculiarity of the Chinese language; and hence it is obvious that there must be considerable difficulty in accustoming a China-man to arrange the parts of speech accurately, and attend to an exact collocation of those particles, which in English are necessary to the sense as well as to perspicuity, but which are seldom used in Chinese except for the sake of euphony.

“Religious instruction is daily communicated to the students. They all attend the reading of the scriptures and prayers in the college, before they commence their studies. They learn during the day select portions of catechisms, or other books on religious subjects,—are made acquainted with sacred history, and are taught the principles of the Christian religion as they are laid down in the scriptures. They all

attend divine worship on the Sabbath, when service is performed in their own language. The Chinese workmen voluntarily attend with them; and some of them with great regularity. Service is conducted in the mission chapel on the Sabbath forenoon, and in the college hall morning and evening.

“A Chinese publication of a miscellaneous nature has been commenced with a view of circulating information concerning China and England, and on subjects of religion and literature. The object is to advance the general interests of useful knowledge, and especially of divine truth, by means of short essays on various important subjects. It will be of real service, if this small publication tend in any degree to weaken the prejudices of the Chinese, and remove those erroneous impressions which prevail amongst them, both concerning their own false notions of wisdom, and the folly or barbarity which they impute to other nations. The progress of knowledge in the human mind, especially if warped by prejudice, must be gradual; and it is not improbable that a combination of means in themselves insignificant, may be more successful in the diffusion of correct principles, than a rigid adherence to one individual system.

“It was stated in the Report of last year, that it was in contemplation to publish an English periodical in connexion with the college, and for its benefit. A prospectus was afterwards drawn up and circulated for the purpose of procuring the names of subscribers; but although a respectable list was obtained, we do not feel warranted to commence the publication, both from the comparatively small number of subscribers, and from other unavoidable circumstances of difficulty which did not exist when the prospectus was issued: we hope this will be accepted as an apology by all those gentlemen who kindly favoured the proposed undertaking with their promised aid. Such a publication we think extremely desirable, if adequate pecuniary support, and literary aid of sufficient variety and interest, could be depended on.”

The report acknowledges the liberal support of 100 dollars per month from the government; notwithstanding which, the funds are still inadequate to defray the current expenses of the institution. \*

#### BIRTHS.

Sept. 22. The lady of the Rev. J. Smith, A.M., of a daughter.

Oct. 17. The lady of J. B. De Wind, Esq., of a daughter.

#### DEATH.

Aug. 26. Henry Overree, Esq., aged 48.

## Netherlands India.

### JAVA.

*Batavia, Dec. 11.*—Our journals contain the particulars of the capture of the famous High Priest Kiay Modjo, with 500 of his followers. Kiay Modjo, with his chief adherents, arrived at Batavia on the 28th of November, on board the *Mercury* merchantman, under convoy of his Majesty's frigate the *Bellona*, and he will remain on board till a suitable residence is got ready for him. These papers contain also the important news that the equally notorious Maas Loerah, with two of his sons and about 140 men, had submitted to the government; also the Pangerang Admo Modjo, and Tommongong Mohamed Kistolboe, both persons of consequence, who have frequently distinguished themselves in the war.—*Dutch Paper.*

### Persia.

Letters received from Teheran inform us of a horrible catastrophe which took place in that city on the 31st of January (12th of February), in consequence of a violent quarrel between the suite of M. Gribojedoff, our minister at that court, and some of the populace. Some idlers having assembled before the minister's house during the quarrel, thought fit to take part in it, and some of them having been soon killed, an immense crowd hastened from the bazaar to avenge their countrymen, forced the gate of the hotel, and in spite of the resistance of our Cossacks, and of the Persian guards, four of whom were killed, succeeded in penetrating to the inner apartments, where all that came in their way were sacrificed to their rage. In vain the Shah himself, accompanied by his son Selou Sultan, governor-general of Teheran, came with a considerable force to check and disperse the rioters. It was too late—M. Gribojedoff and his suite had already fallen victims to the rage of the assassins. Only M. Malzoff, the first secretary of legation, and three other persons, escaped the carnage. The Shah, Abbas Mirza, and the whole court, are in the greatest consternation; the latter has gone into mourning for eight days. Eager to give us all the satisfaction we have a right to demand, he intends to send his eldest son with the Caimacan to General Paskewitch, to communicate to him all the particulars and explanations which the general-in-chief may desire respecting this dreadful event.—*Journal of St. Petersburg, March 27.*

### The Persian Gulf.

We have received advices from Bussora dated the 12th September 1828, which

state that Abbas Meerza is advancing in great force, *vid* Kermanshaw, on Bagdad, in support of the claims of Mahomed Agha, late a Kehajeh, to the musnud of the Pachalic, while the latter is said to be present with a small advanced corps in the neighbourhood of Bakonba, eight or nine leagues N. E. of Bagdad.—*Bom. Cour. Oct. 25.*

By the arrival of the H. C. sloop of war *Clive* from Balsadore, we learn that the Imaum of Muscat had assembled a force of 10,000 men at the island of Bahrein; the Imaum himself was on board the *Shaw Allum*, a frigate of 50 guns.—*Bom. Gaz. Nov. 5.*

## China.

### THE LATE REBELLION.

*Peking, June 25th 1828.* To-day His Imperial Majesty published the following document.

Ever since the 25th year of the reign of Kea-king the rebel Mahomedan Changkiur has repeatedly entered the frontier, and created disturbance. During the 6th year of Taoukwang, he formed a coalition with the Poolootih Mahomedans, and usurped the four cities. I the Emperor ordered the grand army to go forth, and wherever Heaven's lances were pointed, victory soon ensued. But the rebel made his escape, and troops were left to guard the frontier. His old wisdom spouted out again, and last year towards its close, his flickering soul from the bottom of a boiler presumed again to cross the frontier, in the hope of spying out something. Then Changling with Yangliang went against him, caught him, caged him, and have this day presented him at the palace gate.

I devoutly look up, and depend on the azure heaven's help, and the condescending protection of my ancestors. To-day I have descended to the gate, received the prisoner, and performed the rites, and am filled with consolation and with profound awe.

In consideration of the meritorious exertions of Changling I have already conferred rewards upon him, and created him a duke. On this occasion I further bestow the title, guardian of the prince, and allow him to wear a three-eyed peacock's feather. His majesty also conferred other rewards on military leaders, all the nobles, officers, and soldiers of Peking; to the soldiers he gave half a month's pay to make them joyful on this grand occasion.

His imperial majesty has ordered a stone monument to be erected at the foot of the hill, on which the arch-rebel Changkiur was taken. An inscription





## HOME INTELLIGENCE.

## MISCELLANEOUS.

## NEW DIRECTORS.

On the 8th April a ballot was taken at the East-India House for the election of six directors, in the room of William Wigram, Esq.; John Baillie, Esq.; John Petty Muspratt, Esq.; Sir Robert T. Farquhar, Bart.; James Rivett Carnac, Esq., and James Law Lushington, Esq., who go out by rotation. At six o'clock the glasses were closed and delivered to the scrutineers, who reported that the election had fallen on Josias Du Pre Alexander, Esq.; Robert Campbell, Esq.; Neil Benjamin Edmonstone, Esq., Hon. Hugh Lindsay; John Morris, Esq., and John Goldsborough Ravenshaw, Esq.

On the 9th April a Court of Directors was held, when the six new directors took the usual oath and their seats. John Loch, Esq., and William Astell, Esq., were chosen chairman and deputy-chairman for the year ensuing.

## THE CHIEF JUSTICE OF BOMBAY.

*Whitehall, April 4.*—The King has been pleased to direct letters patent to be passed under the Great Seal of the United Kingdom of Great Britain and Ireland, conferring the honour of knighthood upon James Dewar, Esq., Chief Justice of the Supreme Court of Judicature at Bombay.

## FRENCH EXPEDITION IN SEARCH OF LA PEROUSE.

The *Astrolabe*, Capt. D'Urville, despatched by the French government in search of the relics of La Perouse, returned to Toulon, on the 26th of March. MM. Quoy and Gaymart, the naturalists attached to the expedition, have made a very large collection of objects of natural history, amongst which are three curious living animals, namely two babiroussas, which they took in Celebes (of which animal no complete specimen has ever been seen in France), and a *cynocephalus*, a remarkable species of ape. These animals are intended for the Museum of Natural History. The naturalists have likewise brought sixty-two cases of preserved specimens of zoology, besides 6,500 drawings.

## M. PACHO, THE FRENCH TRAVELLER.

In January last M. Pachó, the French traveller in Cyrenais, died by his own hands.

M. Pachó was born at Nice, in the year 1795, at a time when this city belonged to France. He was educated at the college of Tournon, in Languedoc. Subsequent to his return from his travels, he appears to have been exposed to some private wrongs, which produced an aberration of mind, and eventually led to an act of suicide. In December last he stated, in a letter to a friend, that the only result of all his labours, sufferings, and fatigues, was that he had learned, but too late, rightly to appreciate mankind. In the night of the 25th or 26th January, whilst in a state of delirium, caused by a burning fever, he stabbed himself mortally. On the Sunday night previous, he had written several letters; in one of them he disclosed the insane condition of his mind; he fancied himself beset on all sides by enemies intent upon his destruction, and he believed that, at the very moment of writing, there were people congregated under his window, plotting his ruin.

His Travels in Cyrenais and the Pentapolis afford some very curious details of a part of Africa very little known, but abounding in relics of antiquity.

## PROMOTIONS AND CHANGES IN THE BRITISH ARMY.

## (SERVING IN THE EAST.)

2d Foot. Lieut. A. T. Grier, h. p. 39th F., to be Lieut., v. Phipps app. to 92d F. (12 Mar. 29).

38th Foot. Lieut. C. Muddle to be capt. by purch., v. Hamilton, who rets.; and Ens. J. G. Lecky, from 99th F., to be Lieut. by purch., v. Muddle (both 26th Mar. 29).

40th Foot. Lieut. W. Edwards, from 7th L. Dr., to be Lieut., v. R. Thornhill, who rets. on h. p., rec. dif. (21 Mar. 29).

45th Foot. Maj. A. Poyntz, from 67th F., to be major, v. John Cole, who rets. on h. p., rec. dif. (2 Apr. 29).

## INDIA SHIPPING.

## Arrivals.

March 24. *Craiglevar*, Ray, from Bengal and Mauritius; off Scilly.—26. *Marmion*, Wright, from Sourabaya and Batavia; at Cove of Cork.—27. *City of Aberdeen*, Duthie, from Mauritius 25th Dec.; at Greenock.—28. *Lycivus*, Crawshaw, from Mauritius 1st Dec.; at Falmouth.—30. *Arcturus*, Baillie, from Bombay 4th Oct.; at Cove of Cork.—31. *James and Thomas*, Asbridge, from Bombay 23d Nov., and Mauritius 6th Jan.; off Salcombe.—31. *Adrian*, Tupper, from Mauritius and Cape; at Scilly.—April 2. *Rosburgh Castle*, Denney, from Bengal 15th Dec., Madras 24th do., and Cape 3d Feb.; off Brighton.—2. *Greenock*, Miller, from Bengal (for Leith); in Soundings.—2. *Portland*, Mood, from Batavia 24th Oct., and Cape 1st Jan.; at Portsmouth.—3. *Lady Raffles*, Tucker, from Bombay 5th Oct.; off Portsmouth.—2. *William*, Young, from Bengal 26th Oct.; off Dartmouth.—2. *Exchange*, Young, from Mauritius; at Cowes.—3. *Alexander Henry*, Muggridge, from Batavia 30th Sept.; at Cowes.—3. *Captain Cook*, Willis, from Bombay 16th Nov.; off

off Weymouth.—4. *Andes*, King, from Bengal 22d Oct.; at Liverpool.—5. *Eliza*, Fuzze, from Singapore and Penang; at Gravesend.—5. *Glenwood*, Rickaby, from Cape 18th Jan.; at Gravesend.—5. *Earl of Egremont*, Johnson, from Cape 28th Dec.; at Gravesend.—6. *Madeline*, Coghlan, from Manilla 27th Nov.; and Cape 28th Jan.; off Plymouth.—6. *Claudine*, Flinn, from Bengal 14th Nov.; and Madras; at Gravesend.—6. *Angerona*, Redknapp, from Bengal 28th Sept., and Mauritius 25th Dec.; at Gravesend.—6. *Minstrel*, Arkcoll, from Bengal 15th Sept., Madras 17th Oct., and Cape 13th Jan.; at Gravesend.—6. *Hibberts*, Theaker, from Bombay 2d Oct.; at Gravesend.—6. *Norma*, Leggett, from Singapore 16th Sept.; at Gravesend.—6. *John Craig*, Harvey, from Mauritius 29th Nov.; at Deal.—6. *Eliza Jane*, Liddell, from Mauritius and Cape (for Amsterdam); at Deal.—6. *Jessie*, Winter, from Cape 1st Feb.; at Deal.—6. *Potomac*, Caudry, from Batavia 28th Oct.; at Cowes.—7. H. M. S. *Sparrowhawk*, Colpoys, from Mauritius and Cape; at Portsmouth.—8. *Joseph Green* (transport), Mollison, from Mauritius and Cape; at Portsmouth.—8. *Benecoolen*, Martin, from Batavia (for Antwerp); off the Wight.—8. *Achilles*, Marshall, from Mauritius 14th Dec.; at Gravesend.—8. *Rambler*, Paulin, from Mauritius 8th Dec.; at Plymouth.—8. *St. George*, Swainson, from Bengal 14th Dec.; at Liverpool.—8. H. C. S. *London*, Smith, from China 29th Dec.; at Gravesend.—9. *Circassian*, Douthwaite, from Bengal 31st Aug., Madras 16th Oct., and Cape 20th Dec.; at Gravesend.—9. *Delphine*, Brandier, from Batavia 18th Dec.; at Deal.—9. *Dorothy*, Garnock, from Bombay 13th Dec.; at Liverpool.—9. *Sovereign*, Nesfield, from Bombay 12th Oct.; at Liverpool.—11. *Thames*, Bugg, from Bengal 20th Nov.; at Gravesend.—11. *Mary*, Guy, from Bombay; at Gravesend.—11. H. C. S. *Abercrombie Robinson*, Innes, from China 10th Dec.; at Deal.—12. *Stentor*, Fairweather, from Ceylon 3d Nov.; at Gravesend.—12. *Georgiana*, Moore, from Bengal 28th Nov.; at Gravesend.—12. *Home*, Young, from Mauritius 1st Jan.; off Dover.—12. *Surrey*, Kemp, from Bombay 17th Nov.; off Portsmouth.—13. *Harlequin*, Omay, from Bombay 28th Sept., Mauritius 25th Oct., and Cape 3d Feb.; at Deal.—13. *Rachel*, Potter, from Singapore 3d Dec.; at Cowes.—14. *Pera*, Graham, from Cape 1st Feb.; at Gravesend.—14. *Olive Branch*, Anderson, from Cape 7th Feb.; at Gravesend.—14. *Mulgrave*, Turner, from Mauritius 24th Dec.; off Dover.—15. *Amity* (transport), Gray, from Ceylon 4th Dec., and Cape 4th Feb.; at Portsmouth.—16. *Cornbrook*, Strachan, from Bombay 14th Dec.; at Gravesend.—16. *Silence*, Jackson, from Manilla 15th Nov., and Cape 24th Jan.; at Gravesend.—16. *Providence*, Ford, from Bengal 18th Dec., and Madras 28th do.; at Deal.—18. *Promise*, Saunders, from V. D. Land 19th Oct.; at Gravesend.—19. *Sir Walter Scott*, Brown, from Mauritius 20th Jan.; off Margate.—19. *Herculean*, Gunston, from Bengal 29th Dec.; at Liverpool.—19. *John Hayes*, Worthington, from Bengal 6th Nov., and Mauritius 1st Jan.; at Liverpool.—19. *Gipsy*, Quirk, from Bombay 23d Dec.; at Liverpool.—19. *Ann*, Fowler, from Mauritius 17th Jan.; at Liverpool.—20. H. C. S. *Canning*, Baylis, from China 20th Dec., and Cape 21st Feb.; at Gravesend.—20. *Carnbrook Castle*, Davey, from Bengal 6th Dec., Madras 1st Jan., and Cape 20th Feb.; at Gravesend.—20. *Mount Stuart*, Elphinstone, Henning, from Bombay 27th Dec.; at Gravesend.—20. *Bengal*, Atkins, from Bombay 12th Dec.; at Liverpool.—20. *Ann*, Puddicombe, from Cape; at Bristol.—21. *Lavinia*, Brooks, from Mauritius 16th Jan.; at Gravesend.—27. H. C. S. *William Fairlie*, Blair, from China 29th Dec., and Cape 20th Feb.; off Portland.—28. *Cornwall*, Aldham, from Bengal; at Deal.

#### Departures.

March 29. *Frances*, Smith, for C. G. Hope; from Bristol.—31. *Harriet*, Aldham, for Bombay; from Liverpool.—April 7. *Ellen*, Paterson, for C. G. Hope; from Deal.—7. *Tobacco Plant*, Reid, for Batavia and China; from Liverpool.—7. *Bland*, Callan, for Bengal; from Liverpool.—14. *Lion*, Macleod, for V. D. Land; from Deal.—14. *York*, Moncrieff, for V. D. Land (with convicts); from Deal.—17. *Neptune*, Whittleton, from Bombay; from Greenock.—17. *Eleanor*, Edmonds, for Bombay; from Deal.—21. *Statira*, Scriffin, for Bengal; from Deal.—21. *America*, Donald, for

N. S. Wales (with convicts); from Deal.—21. H. M. S. *Southampton* (Admiral Sir E. Owen), for C. G. Hope and India; from Portsmouth.—21. *Brunswick*, Parker, for Madras and Bengal; from Portsmouth.—21. *Davida Scott*, Jackson, for Madras and Bengal; from Portsmouth.—21. *Bamont*, Walsley, for N. S. Wales; from Deal.—21. *Friendship*, White, for V. D. Land; from Deal.—21. *Tartar*, Trist, for C. G. Hope and Mauritius; from Deal.—21. *Bahamian*, Weaver, for Bengal; from Liverpool.—22. H. C. S. *Charles Grant*, Everest, for China; from Deal.—23. H. C. S. *Lowther Castle*, Bathie, for China; from Deal.

#### PASSENGERS FROM INDIA.

*Per Roxburgh Castle*, from Bengal and Madras: Mrs. Nicholls and two children; Mrs. Morris and child; Mr. Morris, Madras civil service; Mrs. Swinhoe and five children; Major Swinhoe; Capt. Dowle; Capt. Maitby; Capt. Hernard; Lieut. H. Lloyd; Mrs. Lloyd; Lieut. R. Lloyd, Bombay marine; Capt. Dalsell, Madras army; Lieut. Dickson, ditto; Mrs. Dickson; Mr. W. Shand, jun.; Mr. C. Welchman; Miss E. Rica.—From the Cape: Mr. Simpson; Mr. Duyster.

*Per Lady Raglan*, from Bombay: Mrs. Williams; Mrs. Havelock; Mrs. Forbes; Mrs. Denham; Mrs. Furlong; Mrs. Fallon; Capt. Watkins, Bombay army; Lieut. Weston; Lieut. Furlong; Lieut. Christie; Lieut. Roberts; Miss Jackson; Dr. Davidson; Master and Miss Havelock; two Misses Forbes; two Misses Adam; Miss Denham, and Miss Fallon.—(Sir Alex. Campbell, Lady Campbell, and Colonel Bellasis were left at St. Helena.)

*Per James and Thomas*, from Bombay: Mrs. Nicholl; Mrs. Burnett; W. Nicholl, Esq.; Lieut. Burnett; Lieut. T. Knox, A.D.C.

*Per Stentor*, from Ceylon: Capt. Baker, Lieut. Smith, Lieut. Seddon, and Lieut. Deabussy, Royal Artillery; Lieut. Lambrecht, Ceylon Regt.; Assist. Surg. Lucas; Assist. Surg. Brown; detachment of invalids.

*Per St. George*, from Bengal: Mr. Atkinson; Mrs. Clarkson; Mrs. Paton; Dr. Atkinson and Dr. Ray, Bengal estab.; W. Dundas, Esq., civil service; Lieut. Phillips and Lieut. MacCrean, native infantry; two servants.

*Per Eliza*, from Penang: Lieut. Watkins; Lieut. Trotter; Mr. Dawson; Messrs. Bonds.

*Per Ceres*, from Bombay: Capt. Lawrie; Mrs. Lawrie; Mr. Waghorn, Bengal pilot service; Mr. Nichols; Mr. Field.

*Per Wentland*, from V. D. Land: T. McLeland, Esq., attorney-general; Major Bishop, 40th regt.; Lieut. Cooke, 39th regt.; J. M. Hammond, Esq., and J. C. Brown, Esq., merchants; Mr. O. Sproule, surgeon R.N.

*Per Greenock*, from Bengal: Mr. Drummond.

*Per Norma*, from Singapore: Capt. E. W. Hay, Bengal estab., late military secretary at Penang.

*Per H. C. S. London*, from China: Lieut. Col. Belasis; Mrs. Belasis; Miss Belasis; Master Belasis; Mr. Wilcocks, an American merchant.

*Per Claudine*, from Bengal: Mrs. Melk; Mrs. Berney; Miss Hunter; Miss E. Hunter; D. Hunter, Esq.; Major Barlow, H.M.'s 8th regt.; Capt. Heppingstall; Lieut. Jameson; Lieut. George; Mr. Reid; Mr. Barrett; Miss Thomas; Masters Chilty and Manley.

*Per H. C. Abercrombie Robinson*, from China: J. R. Reid, Esq., from Bombay.

*Per Madeline*, from Manilla: Mr. Reynolds; Mr. J. D. Vyard.

*Per Alexander Henry*, from the Cape of Good Hope: Capt. Carnall.

*Per Portland*, from Batavia: Miss Curdie.

*Per Circassian*, from Bengal and Madras: Capt. Driver, Mrs. Driver, and Master Driver, from Madras; Mrs. G. Leggett and servant; Capt. Campbell, H.M.'s Royals; Dr. Thompson, ditto; Mr. Brooks; Master Bowman; Lieut. Stewart, R.N.; Assist. Surg. Strath, H.M.'s 59th regt.; 30 invalids; 3 women; 2 children; several persons from the Cape.—(Lieut. Col. Stewart, from Madras, was left at the Cape.)

*Per Surrey*, from Bombay: Major Meredith, Madras Cavalry; Mrs. Meredith and child; two Misses and Master Ewart; Miss and Master Smith; two female servants.

*Per Mountstuart Elphinstone*, from Bombay: T. R. Goodwin, Esq., member of council; Col. Salter, 22d N.I.; Major Livingstone, 16th N.I.; Capt. Crawford, H.M.'s 6th Foot; — Godfrey, Esq., Madras estab.; Mrs. Warrington and three children; Mrs. Rideout, and three children; Miss West, only child of the late Sir Edward and Lady West; Master Sykes; Rev. D. Young; Mrs. Young and two children; Mrs. Doherty and child; 72 Invalids H.M.'s 6th Foot.

*Per Georgiana*, from Bengal: James Ewing, Esq.; Mrs. Ewing, and Miss F. Ewing; W. E. Clarke, Esq.; Mrs. Clarke, and Master Clarke; Mr. J. Phillips; Master Phillips; R. Macqueen, Esq., Lieut. R. Lowe; Lieut. Hutton; five servants.

*Per H. C. S. Canning*, from China: J. F. Davis, Esq., and Mrs. Davis and family. — From the Cape: Dr. F. Ostergu and his wife, mother, and family; Masters Biecard and Marius. — From St. Helena: Mr. Edinburgh, midshipman, belonging to the *Abercrombie Robinson*.

*Per Carnbrea Castle*, from Madras: Mrs. Gen. Hall; Mrs. Dyer; Mrs. MacCardy; Mrs. Hands; J. D. Gleig, Esq., Madras civil service; Dr. S. Dyer, superintending surgeon; Rev. J. Weatherhead; Rev. John Hands; Capt. G. A. Underwood, engineers, commanding invalids; Capt. E. A. Mac Cardy, 27th N.I.; Lieut. Geo. Downing, 2d N.I.; Lieut. John Grimes, 8th N.I.; two Misses Hand; Misses Van Someren, Bell, Mead, and McLeod; Masters John Mead and John Hand; Mr. Rutherford, from the Cape; five servants; 20 invalids H.C.'s service. — (Rev. Jas. Boys landed at St. Helena.)

*Per Amity* (transport), from Ceylon: Lieut. Chapman, R.N.; Lieut. Col. Crowthier; Capt. Swinburne; Mrs. Swinburne; Capt. Laws; Lieuts. Johnson, Cawfield, and Alsine; Paymaster Brough; Assist. Surg. Watson; 149 men H.M.'s 83d Foot; 15 women; 36 children.

*Per Sir Walter Scott*, from Mauritius: Dr. Savil, Mrs. Savil, and seven children; Mrs. Arthur; Mrs. Latowe; Mr. Bozorge; Mr. Sauzier; Mr. Salisse; two Misses Bousand, and two Misses Salisse.

*Per Dorothy*, from Bombay: Mrs. MacLeod; Miss MacLeod; two Masters MacLeod.

*Per Providence*, from Bengal: Mrs. Moyle Sherer; Mrs. Hill; Miss Kerr; Mr. Mundy; three Misses Sheriff; three Misses Hill; Misses Mundy, Bell, and Paine; two Masters Voss; Masters Hill, Lawson, Gordon, Mundy, and Sherer; Mr. W. Fish. — From Madras: Dr. Hutchinson, LL.D.; two Masters Hutchinson; Dr. Humphreys, LL.C.'s service; five servants.

*Per H. C. S. William Fairlie*, from China: C. Marjoribanks, Esq. — From Penang: Misses C. Lake and H. Fullerton; Master E. Lake; Mrs. Ogilvie. — From the Cape: Rev. Mr. Caunter. — From St. Helena: Mr. E. Johnson, surg. R.N.

#### PASSENGERS TO INDIA.

*Per Sir Edward Paget*, for Madras and Bengal: Dr. Richmond; Mrs. Richmond; Misses Pringle, Campbell, Tate, and Ford; three Misses Leslie; Capt. Moss; Mrs. Moss; Capt. Bird; Lieut. Hill; Capt. Grant; Mr. Hay; Mrs. Hay; Mr. Faunce; Mrs. Faunce; Mr. Goodall; Mrs. Goodall; Mr. Campbell; Mr. Gordon; Mr. Guide; Mr. Gilton; Mr. Boulderson.

*Per Diamond*, for N. S. Wales: Mr. Kirkbride; Mr. Robinson; Mr. Donne; Mr. Willson; Mr. Blackland; Mr. Betts.

*Per Lion*, for V. D. Land: Mrs. Kirk and three children; Miss Delney; Miss Robertson; Messrs. Lyons, Brown, Jackson, Grieve, Kirk, Hillyer, Pell, two Lord, two Robertson, two Heigitz, and two Strickland.

### BIRTHS, MARRIAGES, AND DEATHS.

#### BIRTHS.

*April 1.* At Bath; the lady of Capt. Robert Anstruther, of the Bengal Cavalry, of a son.

*11.* In Seymour Place, Bryanston Square, the lady of Capt. Cureton, of H.M.'s 16th Queen's Lancers, of a daughter.

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*22.* The lady of J. C. Morris, Esq., of the Madras civil service, of a son.

*27.* The lady of Capt. Wm. Cruickshank, of the Hon. E. I. Company's service, of a daughter.

#### MARRIAGES.

*March 28.* At Great Bookham, Malcolm Orme, Esq., son of Major Orme, of Fitzroy Square, to Jane, only daughter of Joseph Benson, Esq., of Salisbury Square, and Poleston, Surrey.

*31.* At Mountfield, Sussex, Thos. Barton, Esq., of Battle, to Catherine Nugent, fourth daughter of the late John Smee, Esq., of Court Lodge, same county, and formerly of the civil service, Bombay.

*April 3.* At Balrnkine, James Richmond, Esq., surgeon, Madras establishment, to Isabella Carfrae, daughter of John Pringle, Esq.

*7.* At Eskside, Musselburgh, Lieut. Oswald Bell, of the Hon. E. I. Company's service, to Jane Sterling Home, daughter of John Home, Esq., some time paymaster of the 42d Regt., or Royal Highlanders.

— The Hon. J. H. Roper Curzon, fourth son of Lord Teynham, to Isabella, daughter of the late Col. J. Hodgson, of the Hon. E. I. Company's service.

*9.* Capt. Geo. Wilson, of the Bombay army, to Diana Elliott, third daughter of F. W. Bouzer, Esq.

*12.* At Paris, R. H. Gowland, Esq., eldest son of the late R. Gowland, Esq., M.P., to Anna Boscawen, only daughter of H. M. Barnard, Esq., late of the Hon. E. I. Company's civil home service.

*24.* At Cargillford, near Edinburgh, Wm. Norris, Esq., advocate fiscal of Ceylon, to Fearue, fourth daughter of the late Geo. Kinnear, Esq., of Edinburgh, banker.

#### DEATHS.

*March 9.* At Balthavock House, Perthshire, Mrs. Margaret Johnston Blair, widow of the late Major James Johnston, of the Hon. E. I. Company's service.

*17.* At Dundee, John Campbell Eglinton, son of Robert Eglinton, Esq., of Calcutta.

*31.* At his cottage, Holloway, Capt. Edward Harriman, late of the Hon. E. I. Company's service.

*April 7.* At Woolwich, Maj. Gen. W. H. Ford, Royal Engineers, lieutenant governor of the Royal Military Academy.

*14.* At Fletching, Sussex, aged 15, Frederick, youngest son of Chas. Bayley, Esq., of the Bengal civil service.

*16.* At Dumfries, Mr. James Halliday, surgeon in the Hon. E. I. Company's service.

*17.* At Brighton, Ann Eliza, relict of Wm. Farquharson, Esq., late of the Bengal civil service, leaving a family of twelve children.

*19.* At Kensington, Samuel Athill, Esq., of the Hon. E. I. Company's engineers, Bombay establishment.

— In Moor Place, Lambeth, Thos. Aldridge, Esq., formerly of the East-India House.

*24.* At the house of her father, Samuel Smith, Esq., 39, Charlotte Street, Portland Place, Fanny, the wife of Lieut. H. N. Noble, Native Infantry, Madras.

*Latelly.* At Bury St. Edmunds, I. J. W. Fisher, student at Haileybury College, and eldest son of Capt. Wm. Fisher, R.N., in his 18th year.

— At sea, on board the *Madeline*, on the passage from Manila, Mr. Grant, chief mate of that vessel.

— At sea, on board the *Claudine*, on the passage to England, Ens. Thompson, H.M.'s 13th Foot.

— At sea, on board the *Corwall*, East India-man, Flora, eldest daughter of Sir Wm. Rumbold, Bart., in her 19th year.

— At sea, on board the *Circassian*, on the passage from Calcutta, Mrs. Bowman.

— At sea, on board the *Lady Raffles*, on the passage from Bombay, Mrs. Adam.

— At sea, on board the *Surrey*, on the passage from Bombay to England, Lieut. Davenport, H.M.'s 41st Foot.

— At sea, on board the *Mountstuart Elphinstone*, on the passage from Bombay, Lieut. Jas. Gordon, of the Madras army.

— At sea, on his passage home from Manila, of liver complaint, Mr. James Walker, aged 37.



# EAST-INDIA COMPANY'S SHIPS, of the Season 1828-9, with their Managing Owners, Commanders, &c.

Ships.	Tons.	Managing Owners.	Commanders.	First Officers.	Second Officers.	Third Officers.	Fourth Officers.	Surgeons.	Purveys.	Consignments.	To be Afloat.	Travellers to be Afloat.	When Sailed.
7 <i>Buckinghamshire</i> .....	1267	Company's Ship	R. Glaspoole	J. Hillman	Thos. Alchin	H. Cayley	C. W. White	A. Johnstone	R. G. Lancaster	Bombay & China	1828.	1828.	1828.
8 <i>Bergholm</i> .....	1274	James Locke	Wm. Hope	E. Foord	R. Card	J. R. Lancaster	J. D. Hosman	J. Thomson	R. G. Lancaster	Bombay & China	21 Nov	1828.	9 Jan.
9 <i>Bergholm</i> .....	1276	John Sims	J. R. Manderson	W. H. Walker	C. S. Sawtree	Wm. Toller	F. Sims	G. Graham	J. Thomson	Bombay & China	7 Dec.	12 Jan.	11 do.
10 <i>Lady Metilda</i> .....	1283	O. Wigram	R. Clifford	R. Clifford	Wm. Lewis	T. Littlejohn	H. Walford	T. Foulerton	W. Clifford	Bombay & China	9 Dec.	21 Dec.	29 do.
11 <i>General Kyd</i> .....	1286	R. Small	Samuel Serle	R. Aplin	A. H. Crawford	John Domett	John B. Down	F. P. Allyn	B. B. Lord	Bombay & China	8 Feb.	1828.	8 Feb.
12 <i>Parthurnum</i> .....	1286	J. C. Lochner	J. Cruickshank	P. Jobling	G. Lloyd	J. G. Murray	T. Rennie	J. Blencher	F. A. Halpin	Bombay & China	22 do.	5 Jan.	10 do.
13 <i>India</i> .....	1286	R. Borradaile	J. Duden	P. Herbert	W. B. Coles	Jas. Mowat	John Garner	John Lawson	R. Middlemass	Bombay & China	23 do.	107 do.	1 Mar.
14 <i>Duke of York</i> .....	1287	S. Marjoribanks	R. Locke	G. Ireland	J. Thomson	Dudley North	H. L. Bayley	M. Mackenzie	W. E. Browne	Bombay & China	1828.	1828.	7 do.
15 <i>Hythe</i> .....	1283	S. Marjoribanks	G. C. Arbuthnot	H. B. Avarne	H. H. Isaacson	C. K. Johnstone	Wm. T. Dry	R. Alexander	D. Grassick	Bombay & China	1828.	1828.	3 do.
16 <i>Duke of Sussex</i> .....	1283	S. Marjoribanks	W. H. Whitehead	John D. Orr	Basil W. Mure	C. MacRae	T. Onslow	John Sim	C. D. Moxon	Bombay & China	1828.	1828.	10 do.
17 <i>Atlas</i> .....	1287	C. O. Mayne	John Hine	H. Bristow	John Vaux	C. Hawkins	C. Morgan	R. Murray	W. G. Gallagher	Bombay & China	1828.	1828.	10 do.
18 <i>Kallie Castle</i> .....	1282	Geo. Reed	E. L. Adams	R. Patullo	Francis West	W. S. Stockley	J. Hamilton	John Cullen	J. White	Bombay & China	1828.	1828.	10 do.
19 <i>Thames</i> .....	1280	H. Blanchard	J. K. Forbes	Chas. Penny	Wm. Clark	John M. Favell	Wm. Rudd	A. J. Will	F. P. Cockrell	Bombay & China	1828.	1828.	10 do.
20 <i>Windor</i> .....	1285	Geo. Clay	T. Havaside	W. MacVair	Mark Clayton	R. E. Warner	Benj. J. Elder	Joseph Docker	F. Jenkyns	Bombay & China	1828.	1828.	10 do.
21 <i>Bergholm</i> .....	1284	John F. Timms	J. Paterson	H. Gribble	A. C. Watling	G. S. Hirst	H. Baker	Wm. Scott	N. G. Glass	Bombay & China	1828.	1828.	10 do.
22 <i>Wicklow</i> .....	1285	Company's Ship	D. R. Newall	W. R. Blakely	F. Hedges	T. Packman	C. Evans	J. Halliday	A. E. Dare	Bombay & China	1828.	1828.	10 do.
23 <i>Venustair</i> .....	1270	Joseph Hare	J. B. Burnett	H. Edmunds	A. C. Barclay	John Duncan	J. Campbell	J. W. Wilson	J. Ellis	Bombay & China	1828.	1828.	10 do.
24 <i>Souley Castle</i> .....	1270	Company's Ship	G. K. Buttle	Peter Plicher	W. Taylor	J. Tate	D. Thompson	W. Hayland	John Benfield	Bombay & China	1828.	1828.	10 do.
25 <i>Leinster Castle</i> .....	1271	Matthew Isacke	G. K. Buttle	J. Gibbons	Thos. Addison	J. Hayward	R. Barton	John Lester	Thos. Storey	Bombay & China	1828.	1828.	10 do.
26 <i>Charles Grant</i> .....	1271	Wm. Moffat	R. B. Everest	J. Coates	C. A. Eastmure	C. H. Leaver	A. Burnell	Wm. Scott	F. Palmer	Bombay & China	1828.	1828.	10 do.
27 <i>Thames Grenville</i> .....	1271	Geo. Palmer	Chas. Stea	R. Robson	J. Crozier	A. Ermon	R. Mackenzie	Adam Elliot	J. Adams	Bombay & China	1828.	1828.	10 do.
28 <i>Minerva</i> .....	1270	Geo. Palmer	G. Probyn	Jas. Drayner	C. Ingram	A. Tudor	B. I. Littlehales	Wm. Chanter	J. E. Markland	Bombay & China	1828.	1828.	10 do.
29 <i>Princess Charlotte</i> .....	1270	C. B. Gribble	C. B. Bidden	C. W. Francken	David Home	C. B. Gribble	C. J. Delvalle	R. McClintock	W. H. Hunt	Bombay & China	1828.	1828.	10 do.
30 <i>Isle of Wales</i> .....	1270	H. Bonham	A. Chapman	R. B. Shittler	J. Sparks	W. Lidderdale	—	Wm. Winton	Rich. Binks	Bombay & China	1828.	1828.	10 do.
31 <i>Waddington</i> .....	1270	H. Bonham	A. Chapman	R. B. Shittler	J. Sparks	W. Lidderdale	—	Wm. Winton	Rich. Binks	Bombay & China	1828.	1828.	10 do.

# PRICE CURRENT, April 28.

EAST-INDIA PRODUCE.							
	£.	s.	d.		£.	s.	d.
Coffee, Java.....cwt	1 17	0	—	2 2	0	—	—
— Cheribon .....	1 17	0	—	2 0	0	—	—
— Sumatra .....	1 13	0	—	1 17	0	—	—
— Bourbon .....	—	—	—	—	—	—	—
— Mocha .....	3 5	0	—	5 18	0	—	—
Cotton, Surat.....	0 0	4	—	0 0	5	—	—
— Madras .....	0 0	4	—	0 0	5	—	—
— Bengal .....	0 0	4	—	0 0	5	—	—
— Bourbon .....	0 0	6	—	0 0	9	—	—
Drugs & for Dyeing.							
Aloes, Epatica.....cwt.	10	0	—	14	0	0	—
Aniseeds, Star .....	2 15	0	—	3 0	0	—	—
Borax, Refined .....	3 10	0	—	3 15	0	—	—
— Unrefined, or Tincal	6 15	0	—	6 18	0	—	—
Camphire .....	0 9	0	—	—	—	—	—
Cardamoms, Malabar..lb	0 1	0	—	0 1	6	—	—
— Ceylon .....	5 0	0	—	6 0	0	—	—
Cassia Buds .....	4 4	0	—	4 15	0	—	—
— Lignea .....	0 1	0	—	0 2	0	—	—
Castor Oil .....	3 0	0	—	22	0	0	—
Dragon's Blood.....cwt.	2 10	0	—	4 10	0	—	—
Gum Ammoniac, lump..	1 8	0	—	3 10	0	—	—
— Arabic .....	1 0	0	—	4 0	0	—	—
— Asafoetida .....	2 0	0	—	20	0	0	—
— Benjamin .....	3 0	0	—	10	0	0	—
— Anihul .....	17	0	0	20	0	0	—
— Gambogiun .....	3 0	0	—	15	0	—	—
— Myrrh .....	2 0	0	—	5 10	0	—	—
— Olibanum .....	9 0	0	—	12	0	0	—
Kino .....	0 1	0	—	0 2	0	—	—
Lac Lake .....	0 3	6	—	0 3	8	—	—
— Dye .....	3 18	0	—	5 5	0	—	—
— Shell .....	3 0	0	—	4 0	0	—	—
— Stick .....	0 0	4	—	1 15	0	—	—
Musk, China .....	0 17	0	—	—	—	—	—
Oil, Cassia .....	0 0	6	—	0 0	8	—	—
— Cinnamon.....lb	0 0	1	—	0 0	2	—	—
— Cloves .....	0 2	9	—	0 3	2	—	—
— Mace .....	0 1	0	—	0 5	0	—	—
— Nutmegs .....	0 1	0	—	3 10	0	—	—
Ophum .....	0 0	9	—	0 2	0	—	—
Rhubarb .....	1 4	0	—	1 7	0	—	—
Sal Ammoniac.....cwt.	1 0	0	—	1 5	0	—	—
Senna .....	3 14	0	—	1 17	0	—	—
— Bengal .....	3 13	0	—	4 9	0	—	—
— China .....	—	—	—	—	—	—	—
— Turmeric, Java .....	—	—	—	—	—	—	—
— Senna .....	—	—	—	—	—	—	—
Galls, in Sorts .....	—	—	—	—	—	—	—
— Blue .....	—	—	—	—	—	—	—
Indigo, Blue.....lb	0 9	6	—	0 9	8	—	—
— Blue and Violet.....	0 8	6	—	0 9	8	—	—
— Purple and Violet.....	0 7	0	—	0 8	3	—	—
— Violet .....	0 6	0	—	0 7	3	—	—
— Violet and Copper .....	0 5	9	—	0 6	9	—	—
— Copper .....	0 5	0	—	0 6	6	—	—
— Consuming sorts .....	0 4	6	—	0 5	6	—	—
— Oude good and fine .....	0 3	6	—	0 4	3	—	—
— Do. ord. and bad .....	0 4	9	—	0 6	0	—	—
— Low and bad Oude .....	0 3	6	—	0 6	0	—	—
— Madras extra fine .....	0 3	6	—	0 6	0	—	—
— Do. ord. to fine .....	1 10	0	—	8 0	0	—	—
Rice, Bengal White.....cwt.	0 14	0	—	1 10	0	—	—
— Patna .....	1 5	0	—	1 10	0	—	—
Safflower .....	0 15	6	—	0 18	0	—	—
Sago .....	0 1	1	—	0 2	3	—	—
Saltpetre .....	0 3	2	—	0 3	4	—	—
Silk, Bengal Skein.....lb	0 15	6	—	0 18	0	—	—
— Novi .....	0 1	1	—	0 2	3	—	—
— Ditto White .....	0 3	2	—	0 3	4	—	—
— China .....	0 15	6	—	0 18	0	—	—
Spices, Cinnamon.....	0 4	1	—	0 5	2	—	—
— Cloves .....	0 3	2	—	0 3	4	—	—
— Mace .....	0 15	6	—	0 16	0	—	—
— Nutmegs .....	0 0	3	—	0 0	4	—	—
— Ginger .....	0 0	6	—	0 0	7	—	—
— Pepper, Black.....lb	1 10	0	—	2 0	0	—	—
— White .....	1 7	0	—	2 0	0	—	—
Sugar, Bengal .....	0 18	0	—	1 17	0	—	—
— Siam and China .....	0 2	1	—	0 3	6	—	—
— Mauritius .....	0 2	1	—	0 3	6	—	—
Tea, Bohea .....	0 2	3	—	0 3	7	—	—
— Congou .....	0 4	2	—	0 4	6	—	—
— Souchoing .....	0 2	3	—	0 3	0	—	—
— Camphir .....	0 2	3	—	0 3	0	—	—
— Twankay .....	0 2	3	—	0 3	0	—	—
— Pekoe .....	0 2	3	—	0 3	0	—	—
— Hyson Skin .....	0 3	9	—	0 5	9	—	—
— Hyson .....	1 0	0	—	2 14	0	—	—
— Young Hyson .....	9 0	0	—	10 0	0	—	—
— Gunpowder .....	—	—	—	—	—	—	—
Tortoiseshell .....	—	—	—	—	—	—	—
Wood, Sanders Red.....ton	—	—	—	—	—	—	—

## AUSTRALIAN PRODUCE.

Oil, Southern .....	29	0	—	33	0	0	—
— Sperm .....	78	0	0	—	—	—	—
— Head Matter .....	80	0	0	—	—	—	—
Wool .....	0 1	3	—	0 5	0	—	—
Wool, Blue Gum .....	0 0	4	—	0 0	6	—	—
— Cedar .....	0 0	7	—	—	—	—	—

## DAILY PRICES OF STOCKS, from 26 March to 25 April.

Mar.	Bank Stock.	3 Pr. Ct. Red.	3 Pr. Ct. Consols.	3 Pr. Ct. Consols.	3 Pr. Ct. Red.	N. 4 Pr. Ct. Ann.	Long Annuities.	India Stock.	India Bonds.	Exch. Bills.
26	—	—	87 1/8	87 3/8	—	101 1/2	102	—	49p	56 57p
27	—	—	87 1/8	87 3/8	—	101 1/2	102	—	50p	56 58p
28	—	—	87 1/8	87 3/8	—	101 1/2	102 1/2	—	51 53p	57 59p
30	—	—	87 1/8	87 3/8	—	102 1/2	—	—	52 53p	58 59p
31	—	—	87 1/8	87 3/8	—	102 1/2	—	—	52 54p	58 61p
Apr. 1	—	—	87 1/8	87 3/8	—	102 1/2	—	—	53p	—
2	—	—	87 1/8	87 3/8	—	102 1/2	102 1/2	—	—	60 61p
3	—	—	87 1/8	87 3/8	—	102 1/2	102 1/2	—	58 53p	59 62p
4	—	—	87 1/8	87 3/8	—	102 1/2	102 1/2	—	—	60 61p
6	207 1/8	86 1/8	87 1/8	87 3/8	95 1/2	95 1/2	102 1/2	19 1/2	51 53p	59 61p
7	208	86 1/2	87 1/8	87 3/8	95 1/2	95 1/2	102 1/2	19 1/2	51 53p	59 60p
8	208 1/2	86 1/8	87 1/8	87 3/8	95 1/2	95 1/2	102 1/2	19 1/2	50p	58 60p
9	207 1/8	86 1/8	87 1/8	87 3/8	95 1/2	95 1/2	102 1/2	19 1/2	—	55 58p
10	208 1/2	86 1/8	87 1/8	87 3/8	95 1/2	95 1/2	102 1/2	19 1/2	231	46 49p
11	208 1/2	86 1/8	87 1/8	87 3/8	95 1/2	95 1/2	102 1/2	19 1/2	232	—
13	208 1/2	86 1/8	87 1/8	87 3/8	95 1/2	95 1/2	102 1/2	19 1/2	231	49 50p
14	209 10	87 1/8	87 1/8	87 3/8	96 1/2	95 1/2	102 1/2	19 1/2	—	48 49p
15	210	86 1/8	87 1/8	87 3/8	96 1/2	95 1/2	102 1/2	19 1/2	231	48 49p
16	—	86 1/8	87 1/8	87 3/8	96 1/2	95 1/2	102 1/2	19 1/2	—	58 59p
18	210 1/2	87 1/8	87 1/8	87 3/8	96 1/2	96 1/2	102 1/2	19 1/2	—	51p
22	210 1/2	87 1/8	87 1/8	87 3/8	96 1/2	96 1/2	102 1/2	19 1/2	—	51p
24	210 1/2	87 1/8	87 1/8	87 3/8	96 1/2	96 1/2	103 1/2	19 1/2	—	49 51p

# THE ASIATIC JOURNAL

FOR

JUNE, 1829.

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## Original Communications,

&c. &c. &c.

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### ON MR. MILL'S "HISTORY OF BRITISH INDIA."

No. II.

THERE is scarcely a page in Mr. Mill's history in which he neglects an occasion of enforcing some dogma or other of the philosophy of Bentham. The ardour of the disciple sometimes inflames itself into the zeal of the sectarian. Hence the style of his narration is abrupt and harsh, and the stream of history ruffled and broken, as if struggling with the under-current of his opinions: not that it is a work wholly destitute of graces; but they spring up reluctantly, as in a soil encumbered and oppressed to sterility by the hard layer of his philosophy. But it is trifling to criticize Mr. Mill's diction, when the quarrel is with his doctrines and statements.

It is the fixed conviction of the historian of British India, that neither justice, nor wisdom, nor reason, inhabited the earth till Bentham's philosophy came down from heaven to converse with man. Whatever is still controverted or problematical, in the questions that for ages have exercised the human mind, will receive its final solution; every doubt will be cleared, every remnant of false science and delusive opinion will vanish, at the promised revelation of the Bentham papers, which Mr. Mill, in several passages of his work, announces to be at hand. Thus, with regard to the rules of judicial evidence, which in our English jurisprudence are a mere mass of absurdity, the subject "will one day be presented to the world in all the light which full knowledge, a minute analysis and philosophy, can bestow."\* Since those intimations were given, a portion of those "Delphic leaves" have been vouchsafed to mankind — by much the larger portion, it may be supposed, as they occupy five bulky volumes;† and a short time will enable us to see whether the thick darkness of Westminster Hall will be chased away, or whether English lawyers, "those birds that love the twilight," will continue, by the light of their flickering tapers, to pore over worm-eaten precedents and mouldy reports, unmindful of the full

\* Hist. Brit. India, vol. I, p. 165, 4to.

† Rationale of Evidence, 5 vols. 8vo.; edited by Mr. Mill, jun.



full tide of light that is ready to break in upon them. Probably, to minds unilluminated with the new wisdom, it may seem that the rules of evidence, which from time to time have been laid down by our juridical sages, had at length become a deeply-considered and mature system, and were for that unphilosophical reason entitled to precedence over systems hatched in the closets of speculative men; that principles, upon the establishment of which a long succession of minds had been employed, disciplined by experience and study to that specific branch of casuistry, would, in all probability, be more practically beneficial than the inventions of the *umbratiles doctores*, who now and then attempt to convince us, that reason and justice are to be found only within the sphere of their own speculations. Be that as it may, it is rather an amusing illustration of the imperious tone of Mr. Mill's philosophy, to remark upon what intellects it ventures to pronounce its oracular censures, and what order of beings it presumes to drag before its puny tribunal. Nothing in the intellectual world, however high, no genius however commanding, or exalted by the universal acclaim of society for those sublime powers of thought and comprehension, which exempt it from the jurisdiction of inferior understandings, is privileged from the contemptuous rebukes and sneers of Mr. Mill.

——— *inde Maronem,*

*Atque aliâ parte in trutinâ suspendit Homerum.*

It is well known that Mr. Burke was the author of the Report from the Committee of the House of Commons, in 1794, to inquire into and make observations upon the causes which had contributed to delay the trial of Mr. Hastings. Mr. Mill—whose summary\* of the trial is imperfect and incorrect, and, as regards Mr. Hastings, partial and unfair in the highest degree, and overflowing with invective against English lawyers, towards whom his antipathy resembles that of the ichneumon to the crocodile—pounces at last upon a nobler quarry, and thus pronounces judgment upon Edmund Burke.† "The committee made a dissertation of considerable value upon the rules of evidence, or rather the rules for exclusion of evidence. Even here, however, the author of the Report saw his way obscurely. He perceived distinctly, that every one of the rules of exclusion, which had been brought to bear against himself, was mischievous, and opposed to the course of justice in that particular application of it. But *he did not ascend to the principle of exclusion itself*, and perceive that, generically, it was pregnant with nothing but mischief. *The mind of Mr. Burke was not a generalizing mind.* It rested upon individual cases; had little native propensity to ascend any higher, and seldom did so, unless when impelled by unusual circumstances." Now this is not only presumptuous, but false criticism, and a more complete misrepresentation of the peculiar intellectual character of Burke than has hitherto been hazarded. Conceding the unquestionable right of the historian of British India to frame his own estimate of the powers of a man, who is universally classed amongst the greatest that any age or country has produced; conceding that the comparatively insect-vision of Mr. Mill (it is not spoken disparagingly) could grasp the full dimensions of such a mind, and stretch itself to the whole circle of its vast and illimitable horizon; there never was a more incorrect and unauthorized estimate. "Had we been called on,"‡ observes an able writer, animadverting on this passage in Mr. Mill's work, as a specimen of the rash and peremp-

\* It is chiefly taken from the History of the Trial published anonymously by Debrett, and generally considered a party publication.

† Hist. Brit. Ind., vol. v. p. 244, 8vo.

‡ Edinburgh Review, No. 66.

peremptory conclusions of the school, "to mention a mind, in which we should be more at a loss whether to admire most its omnigenous materials, or the beautiful arrangement by which their dependence on general principles, as well as their points of connexion with each other, was preserved, what name could have presented itself so soon as that of Burke? His great oratorical defect was, except as a prolocutor for a senate of philosophers, *that he generalized too much*, and that facts lost their graphic and personal identity by becoming principles and maxims whilst passing through his mind."

Why has Mr. Mill so ridiculously ventured to controvert the philosophical character of Burke's mind, when the slightest knowledge of his admirable writings, and of his speeches in Parliament, could not fail of convincing him how pregnant they are with philosophy, and philosophy of the highest kind? It is a singular fact, on the other hand, that there was frequently an indisposition to listen to him in the House of Commons, from that habit of generalizing which Mr. Mill denies to be the property of his understanding, and that the good-natured satire of Goldsmith, that he,

"Too deep for his hearers, still went on refining,

And thought of convincing, when they thought of dining."

was suggested by this very circumstance. In fact, a mind to which all knowledge, past and present, was familiar, could not be any other than a generalizing one; for generalization is a principle natural to the mind of man, even in its rudest and most uncultured state, in proportion to the number of facts it has laid up as a ground for its inductions; and nothing can be more unphilosophical than to pronounce a mind like Burke's, which was a vast repository of facts and experiences, incapable of generalization. But, in the report he presented to the House of Commons, "he did not ascend to the principle of exclusion!" No; because he was not a candidate for ridicule. For ascending, after Mr. Mill's fashion, to the *principle* of exclusion, is to maintain that every species of evidence that is proffered in a judicial inquiry ought to be received; in other words, that none ought to be excluded. This is the doctrine of Mr. Mill, which is at variance with every sound and rational rule of evidence; and were it possible to suppose that the notion had been seriously entertained by Burke, it would have been too chivalrous and absurd an experiment to have hazarded it in a document, the purpose of which was to complain of the interruptions that retarded the prosecution of Mr. Hastings, by excluding, upon grounds too narrow and technical, the evidence offered by the managers. It was a most powerful remonstrance, and made a strong impression; but had it contained so evident an absurdity, as that the House of Lords were bound to receive *all kinds* of evidence, and to exclude none, it would not have been read, or listened to with patience; and that masterly document, in which an exposition of some of the most interesting questions in jurisprudence is embodied, would have gone down to posterity as a monument of shallow and extravagant speculation. In truth, it must be admitted, that in one or two instances, the prosecutors were embarrassed with objections, which the Lords ought not to have allowed in a case which, from its peculiar nature, did not permit the application of the precise technical rules of testimony which prevail in courts of law, and could not be substantiated without an occasional recourse to evidence of a lower or secondary species. Documentary evidence, moreover, was once or twice rejected, which ought to have been received, particularly with regard to the report made by Mr. Goring relative to the money said to have been received by Mr. Hastings from the Munny Begum, that report having been printed by order of the Lords, being part of a consultation which had

had already been read in evidence, and having been made evidence by Mr. Hastings' own act, who had himself transmitted it to the Court of Directors. But though it ought not to have been rejected, it was still a dangerous species of evidence, since it amounted to no more than statements made by the Begum to Mr. Goring. The Report complained, also, and not without reason, that the judges to whom these points were submitted, did not state the grounds of their decisions; and that by taking their opinions in private, and keeping back the reasons on which they framed them, and by which alone the degree of authority that was due to them could be estimated, the judges became virtually the judges of the cause, a power exclusively vested in the Lords. These, therefore, were fair and legitimate matters of remonstrance, and they were urged with the greatest force of reason and eloquence, and with all the weight of that sober and practical wisdom which, in the discharge of its duty, never overlooks its just limitations by wandering into any such absurd and idle sophisms as that of "ascending to the principle of exclusion."

The whole summary of the trial of Mr. Hastings, in the History of British India, is filled with Mr. Mill's own peculiar doctrines of evidence, and with attacks, in proportion, upon English law and lawyers, upon whom, on all occasions, he discharges no inconsiderable portion of his philosophical bile. But whilst he omits no opportunity of condemning, as senseless and absurd, the rules of evidence which prevail in our courts of law, and which were of course applied in the trial of Hastings, he scarcely ever deigns to examine the good sense or wisdom in which they originated. A word or two, then, as to those rules. It is sufficiently obvious, that the validity of evidence must depend upon our conviction of the usual conformity between the attestation and the truth. It is by means of this general conformity that what we call *belief* is generated. When this conformity is broken, or ceases to be regular, our belief, in a ratio of the frequency of such interruptions, becomes less and less positive, till it is altogether destroyed. No artificial rules of evidence can have any efficacy, if they permit the adduction of testimony, given under any of those circumstances, in which the usual conformity is wholly broken, or give to testimony, where its conformity to the truth is only slight or probable, a weight equal to that which it ought to have in cases where our experience shews it to be fixed and invariable; because our belief, without the application of any rule, naturally adjusts itself by these degrees of assurance. It is, after all, our experience of the constant association of truth with one species of evidence, its less regular association with another species, and its absolute non-association with a third, that furnishes the grounds on which we believe or disbelieve. There is no such thing as the *natural belief* of the Bentham school. A human being, mature in growth and in mind, who had always lived in seclusion from the rest of mankind (could the case be supposed), and who, therefore, had never experienced the association between things related and things existing, would probably refuse his assent to the first story he heard from the mouth of another; having afterwards perceived its conformity to the truth, he would lend a less reluctant assent to the second; but it would not be till he had *frequently* experienced the conformity between fact and narration, that he would receive the relations of others with full and unmodified acquiescence. Our technical rules of evidence are founded upon these principles; and accordingly, when evidence is proffered which belongs to that species of it which leads only to a less degree of assurance, and therefore is merely probable, they require, before it can be received, that the foundation for it should be laid by some preliminary piece of evidence derived from the  
highest

highest species, namely, that of which the conformity to truth is fixed and invariable. Thus an original deed or instrument belongs to the highest class; but a copy of it must necessarily belong to a lower: for the conformity of a mere copy to the truth is less fixed, and is at best only probable, innumerable cases occurring of fraudulent and pretended, of incorrect and interpolated, copies. In this case, then, it is necessary, in order to let in the copy, to establish two preliminary facts: the existence of the original, and that it was impossible to produce it on the trial.

To ascertain truth is, indeed, the only rational purpose of judicial testimony; but in his zeal for the *natural evidence* of the Bentham school, Mr. Mill contends for the admissibility of all, or, in other words, for the exclusion of no evidence by which delinquency may be established. Our criminal jurisprudence disowns the doctrine as highly inconvenient, and irreconcilable with justice. Testimony, therefore, when it diverges from sensible or primary evidence, is excluded, or only received under the above indispensable conditions. The rule was established for the protection of the accused party; but as nothing which man's wisdom has instituted will always answer the beneficent ends for which it was framed, so it may happen that guilt may occasionally be screened by rules devised for the safety of innocence. But the protection of an innocent man was a paramount consideration, in the breasts of those by whom the rule was framed, to the conviction of a guilty one; and they overlooked the danger arising from the impunity of guilt, whilst they contemplated the peril to which innocence would be exposed, if loose and uncertain criteria of proof, comprehending every degree from positive or primary evidence down to mere surmise, were, according to Mr. Mill's doctrine, to be indiscriminately received. Hence arose the solicitude of our criminal law to have the best evidence which the subject-matter admits of, or to prove the previous existence of the best, its actual non-existence, or the impossibility of adducing it, before evidence of a secondary kind can be received. Mr. Mill quarrels with the rule because it throws difficulties in the way of the accusation, by excluding evidence, by which it might be proved. On the charge, for instance, against Mr. Hastings, for receiving presents from the Munny Begum, the managers attempted to adduce, to a preliminary point, a letter written by Mr. Hastings; but as the original letter was not to be found, they could only offer copies of it, which being of course objected to by the counsel for Mr. Hastings, the court determined, that, before copies could be received in evidence, it was incumbent on them to prove, first, that the original letter had existed; secondly, that it could not be found; and thirdly, that the alleged copy was exact. The running base of *investive*, that grows through the entire *History of British India*, against law-craft and lawyers, is here louder and deeper than usual. "The whole difficulty would have been instantly solved, had not one of the darling rules of the lawyers for the exclusion of evidence shut up, on this occasion, the source from which perfect evidence might have been immediately derived. Had the real discovery of truth been the direct and prevailing object, there stood the supposed author of the letter: *he might have been asked, upon his oath, whether he did not write such a letter or not?* Oh, but say the lawyers, this would have been to make him criminate himself. Quite the contrary, provided he was innocent; if guilty, the lawyers will not say that his guilt ought not to be proved. Upon the strength, however, of the lawyers' rules, this instrument for the discrimination of guilt from innocence was not to be used."\*

God

God forbid that it should! is the exclamation of every mind, nurtured to sound and humane notions of jurisprudence. If Mr. Mill's doctrine is correct, it would have been just that Algernon Sydney should have been asked, upon his oath, whether the papers which, by a rule equally unmerciful, were made out to be his by a mere comparison of hand-writing, a rule which all mankind have since concurred in reprobating, were or were not written by himself. Passing over the anti-historical style of the passage, its doctrine is as repugnant to every true English feeling, as it is dissonant to the tone and character of English justice. To every mind that is attuned to equity and mercy, the very sound of the proposition is harsh and discordant. We have not yet our *juges d'instruction*, thank God, to extort from a trembling delinquent, the means of his own conviction: that foul deformity, so strikingly exposed by M. Beranger, in his dissertation on the penal code of France. We are not yet Benthamized out of the tenderness and solicitude in behalf of the prisoner, which pervade both the formal and substantial parts of our penal jurisprudence; because, expedient as it may be that guilt should be unravelled, it is still more expedient that its detection should not be purchased at the price of justice, or even of mercy, which is but another name for justice. They who constructed our rules well knew how often the embarrassments and contradictions of fear are mistaken for the prevarications of guilt, and how inadvertent answers may be extorted by a keen interrogatory, when shame, or the bitter dread of it, and even the strong sense of innocence brought unjustly into suspicion, may affright and perplex the strongest mind, much more the ignorant and uneducated mind, into admissions which, with superficial hearers, would pass for unanswerable presumptions of crime. In the individual case of Mr. Hastings, indeed, such an inconvenience might not have resulted from this mode of inquisition. But rules are framed for general, not for particular cases.

The administration of Mr. Hastings constitutes so momentous a portion of a general history of India, as to impose upon the historian the strictest obligation of impartiality and diligence; above all, of divesting his mind of every impression extrinsic to the precise merits of questions which, amidst the heats and controversies of the time, it becomes a matter of extreme difficulty and delicacy to appreciate. Mr. Mill's view of that administration is in almost every instance erroneous, and tinctured by the party-colourings under which it was so long held up to the public inspection. Yet a slow but effective justice was rendered to that injured and excellent individual, even before the generation that saw him reviled and persecuted had yet passed away. Posterity will award him a still fuller measure of retribution, because they will revise his acts as they are recorded in history, at a securer distance from those *recentes odii*, by which history is made a corrupt and faithless interpreter of human actions. For this reason, it is a matter of the highest moment, that they who collect the materials for future historians, should examine them with a cool and judicial feeling, before they hazard inferences of criminality affecting the posthumous fame of men, who have had perilous duties cast upon them, and were beset with great difficulties; difficulties, without a due estimate of which, the merits or demerits of public functionaries cannot be fairly or accurately adjudicated. In this part of the historical function, Mr. Mill has erred egregiously. Take, for instance, his narrative of the transaction relative to Cheit Sing. What is the conclusion to which he would impel his readers? That Mr. Hastings, by exacting heavy contributions from a tributary prince, beyond those which he was bound by agreement to furnish, and unjustly

unjustly drawing conclusions of criminality from his reluctance to pay them, and punishing it as a delinquency, violated his duty, and was himself guilty of gross oppression. "If this be justice," observes Mr. Mill, "a way may be found for inflicting any punishment justly, at any time, upon any human being."\* It is also insinuated, that Mr. Hastings received from Cheit Sing a present of two lacs of rupees. But it was most clearly and unanswerably proved on the trial, that the whole was applied to a most pressing exigency of the public service.

Is this fairly stated? The facts are briefly these. Upon the first intelligence of the war with France, in 1778, it was resolved in council, that Rajah Cheit Sing should be required to contribute an extraordinary subsidy of five lacs, to avert a peril which endangered his own possessions as well as those of the Company, from whom he held his zemindary, and by whom he was protected in its enjoyment. It was, according to Mr. Hastings' construction, in strict conformity to the usages of all states in times of great exigency; and the exaction was to have ceased with the exigency. The demand was paid, though reluctantly and tardily, for two years, and there is no evidence to shew that it was beyond his ability to continue the payment. When the third subsidy became due, and Mr. Hastings applied for its immediate payment, Cheit Sing acquiesced in the demand without any reserve. But the times were critical, and the emergency was not to be trifled with; for the subsidy had already been destined to the support of troops acting under Colonel Carnac; and when, by dilatory, and at length by compulsory payments, the whole sum had been obtained from him, the detachment had suffered every extremity of distress, and many desertions had taken place, owing to the want of money, which, according to Mr. Hastings' calculation, ought to have been forthcoming from Cheit Sing, who had made reiterated assurances to that effect. The Bengal Government were beset with multiplied dangers; it was found necessary, therefore, to demand from him all the cavalry he could spare. A thousand only were demanded; but none were furnished, in violation of repeated promises to supply as many as he could detach from other services. These acts of a zemindar, the creature of the Bengal government, who owed all his territorial rights to the Company, and was bound to it, at least according to the honest construction of his duty by Mr. Hastings, not only by a kind of personal fealty, but by the strongest ties of gratitude to aid the superior power to the utmost extremity of his resources; a strong conviction, arising from other symptoms, of a rooted hostility on the part of Cheit Sing to the Company's authority; many circumstantial but precise proofs of his correspondence with the Mahrattas, and with other powers adverse to the British interests, and on the watch to subvert them; and the complete evidence of his being in an incipient if not actual state of revolt, at a crisis when a French armament and a Mahratta invasion were events that became every hour more and more probable; these circumstances conjoined, any single one of which would have been a sufficient justification of the measures of the governor-general, led to the arrest of Cheit Sing, and the final extinction of his independent power. The demand of a sum of money, as a penalty for his disobedience, was not made till the disaffection of the Rajah was quite apparent to Mr. Hastings; but it was an opportunity which was offered to Cheit Sing of redeeming himself from suspicion; and it is quite clear, that when Mr. Hastings left Calcutta, in July 1781, he intended to levy it, and had informed Mr.

Mr. Wheeler of his intention. The object of it was to punish a man notoriously disaffected, and to deprive him of the means of resisting the authority of the superior state by a curtailment of his resources, while the penalty of his disobedience would have relieved the public exigencies in a season of the greatest difficulty, when the state was on all sides surrounded by danger. Hyder Ali had entered the Carnatic, and had driven Sir Hector Munro to the walls of Madras. Seven ships of the line, and 7,000 land forces, had left France, and were on their voyage to India. The western frontier of Bengal was pressed by the Mahratta horse; the Nizam was hostile; Oude was threatened by Nuzeph Cawn; Corah and Allahabad by Scindiah. Never was a more formidable league united for the destruction of a single state: never was a more formidable league dispersed, or a more dreadful peril averted, by the genius and spirit of a single man. Yet this was effected by Mr. Hastings; and as his measures towards Cheit Sing were a material part of his policy, they must be tried by those large and expanded principles of interpretation, which alone ought to decide on the conduct of men in the execution of high and perilous trusts.

Mr. Mill decides on every thing, analyzes every thing, and dogmatizes on all things, with equal confidence. With many readers, to assert in a peremptory tone, establishes the matter enunciated as an incontrovertible truth, and passes, amongst summary thinkers, for comprehension of thought and subtlety of penetration. Mr. Mill has duly estimated this propensity to take for granted what is oracularly announced, and, both in his reasonings and his statements, takes ample advantage of it. Nor is this dogmatism at any time more apparent than in the sarcastic bitterness which is for ever breaking out in detached passages through the whole of his work against the system and constitution of the East-India Company, both in their political and commercial characters. In this respect the History of British India is an unfailing auxiliary to the regular and systematic labours of the political economists, whose pickaxes and spades are at this hour so busy at work in undermining the Company's monopoly, the privileges of the East-India Company (which is in truth a mighty organ for the government of a vast empire, and deriving its means of administering that government from its mercantile privileges) being classed, by a discrimination worthy of the school, with all other existing monopolies, upon what principle soever they may be constructed. Two or three passages, indeed, are to be found, which intimate, though faintly and languidly, an approbation of the general upright intentions of the East-India Company towards their subjects in India; but it is the transient smile of a lurid atmosphere, and the frown of the political economist is instantly resumed. The odious injustice of exclusive commerce, the spirit of mismanagement which is incident to all joint-stock bodies, and their characteristic negligence of their own concerns, is Mr. Mill's chaunt *ab ovo usque ad mala*. It begins in the first book of his history, and is kept up in one unvaried *sostenuto* to the last. Even so early as the twelfth year of the first joint-stock company, when that body presented a remonstrance to the Parliament, in which they urged the insidious policy and the avowed hostility of the Dutch amongst the chief causes of the failure of the spice-trade, and of the obstacles they had to encounter in establishing a trade for piece-goods on the Coromandel coast, the peculiar acerbity of the historian's feelings towards joint-stock companies is strikingly evinced, and they are roundly scolded for shutting their eyes to maxims of political economy, which were not evolved till more than a century afterwards. "The narrowness of their funds," remarks Mr. Mill,\*

"and

\* Hist. Brit. India, vol. i. p. 37, 4to.

"and their unskilful management by the negligent directors of a joint-stock; far more powerful causes, they overlooked or suppressed. They set forth, however, the merits of the Company, as toward the nation, *in terms exactly resembling those which continue to be repeated to the present day*: they employed many seamen; they exported much goods; as if the capital they employed would have remained idle; as if it would not have maintained seamen and exported goods, if such were its most profitable employment, had the East-India Company, or East-India traffic, never existed." Against this unfortunate joint-stock company, the candid historian of India does not affect to establish, by any thing like evidence, that which he assumes as an historical fact, the unskilful management of its directors. It is only a matter of inference: it is quite sufficient that, being a joint-stock company, the directors must have managed its affairs negligently and unskilfully. All joint-stock companies engender, necessarily, and by the law and condition of their existence, abuse and mismanagement: therefore, the affairs of the East-India Company in 1627 were mismanaged by the directors of that period. Mr. Mill has inverted the inductive process: he draws on his philosophy for his facts, instead of making facts the basis of his philosophy.

It does not indeed any where appear, that there was at that time any thing like neglect or mismanagement on the part of the directors. The factories abroad were extruded from their markets by the rapacity of the Dutch, and the Company naturally enough remonstrated, by stating what appeared to them to have occasioned the diminution of their profits. But so persevering is the hostility of Mr. Mill to each successive English East-India Company, that, laughably enough, it betrays him in this instance into a most unnatural affection towards the East-India Company that had been established by the Dutch,\* though founded upon a monopoly equally at variance with the doctrines of the economists: for in the mutual contests of the two companies for the spice-trade, he leans evidently to the Dutch side. It is not, therefore, very surprising, that the same historian, who could contemplate the sufferings of the black-hole at Calcutta with such philosophic calmness, and could establish a set-off against those sufferings in the confinement of English prisoners for civil debt in the gaols of Madras and Calcutta; who could shut his eyes and his heart to the brutalities of Tippoo Sultaun towards his English captives, affecting to disbelieve the fact, though established by most redundant evidence, or when constrained to the admission of a "very rigorous imprisonment," could justify that imprisonment† by the English practice at home of imprisoning debtors; it is not surprising that the same writer should be consistent with himself, and regard with similar apathy, or receive with similar scepticism, the shameful massacre of our countrymen at Amboyna, or resort on such an occasion to his favourite habit of a moral set-off, by attributing parallel atrocities to the English East-India Company of the same period. "*The truth is,*" observes Mr. Mill, in palliation of the Dutch judges, who on that occasion had employed the most cruel tortures to extort evidence of the pretended conspiracy from the accused persons, "that the Company themselves at this very time, were in the *regular habit* of perpetrating tortures upon their own countrymen, and *even their own servants*; of torturing to death by whips or *famine*." Such is the calumny gravely put forth by a grave historian against the character of the persons conducting the affairs of the English East-India Company of that date. Upon what authority? It will be seen hereafter, when the authorities

\* Hist. Brit. India, vol. i. p. 39, 4to.

† See our last Journal, p. 820.



rities on which the historian of British India mainly relies through his whole work, are more strictly scrutinized, how systematically, and, as it were, by an irresistible attraction, when these are opposed to each other, he gravitates towards those which are least deserving of credit. But in this instance, his instinct has led him to the adoption of evidence to which no rational being would yield the slightest assent, and that too in a case where he has thought proper to charge his countrymen of that day (Mr. Mill has philosophically divested himself of every feeling of charity towards his countrymen of every time) with murder of the blackest and most unnatural description. But upon what authority does the accusation rest? that of a person who was an interloper in the factories of the Company, with a strong inclination to piracy. An interloper is the natural enemy of exclusive companies, and Mr. Mill's partiality to his testimony may perhaps be accounted for by that circumstance. No other historian, however, has deemed him worthy of belief. Indeed his book, of which the title-page\* would enable us to appreciate the degree of credit that is due to it, is a most illiterate and flimsy production. Yet it is remarkable, that even this wretched witness (Hamilton), and he is the only witness that could be cited for the purpose, does not bear Mr. Mill out in the assertion, that "the Company at this time *were in the regular habit* of torturing their countrymen and their own servants to death by whips or famine." Nor do Hamilton's own words correspond to those which Mr. Mill attributes to him. The latter evidently gives them a gloss, which alters and extends their meaning. He is thus quoted by Mr. Mill: "Captain Hamilton (New Account of the East-Indies, i. 362) states, that before they (the factory at Fort St. George) were entrusted with the powers of martial law, having no power to punish capitally any but pirates, *they made it a rule* to whip to death, or starve to death, those of whom they wished to get rid." Now turn to the passage itself in Hamilton's book, to which Mr. Mill refers us. He does not say a word about *making it a rule* to whip to death, or starve to death. The paragraph runs thus: "they have no martial law, so they cannot inflict the pains of death any other ways than by whipping or starving;† only for piracy they can hang, and some of them have been so fond of that privilege, that Mr. Yale hanged his groom (Cross) for riding two or three days' journey off to take the air; but in England, he paid pretty well for his arbitrary sentence. And one of a later date, the orthodox Mr. Collet, hanged a youth, who was an apprentice to an officer on board of a ship, and his master, going a pirating, carried his servant along with him; but the youth ran from him the first opportunity he met with on the island of Jonckceylon, and informed the master of a sloop which lay in a river there, that the pirate had a design on his sloop and cargo, and went armed, in company with the master, to hinder the approach of the pirates, and was the first that fired on them; yet that merciful man was inexorable, and the youth was hanged." Such is the passage to which Mr. Mill refers us; it relates two instances in which the power of hanging for piracy was exercised (whether wrongfully or not we have only the flippant narrative of Hamilton to guide our conjecture), those of Yale and Collet; and the first, it seems, was severely animadverted on in England. Nothing is said in this passage of Hamilton's narrative of the Company's *regular habit* of torturing to death their own countrymen, and even their own servants, by whips or famine. Much, indeed,

\* It is called "A New Account of the East-Indies, being the Observations and Remarks of Captain Alexander Hamilton, who spent his Time there from the Year 1688 to 1723, trading and travelling by Sea and Land to most of the Countries and Islands of Commerce and Navigation between the Cape of Good Hope and the Island of Japan."

† Hamilton gives not one instance of starving, and but one of whipping to death.

indeed, occurs in the same book about Collet, and certainly not much in his favour. But Hamilton's testimony against him is liable to the strongest suspicion. Hamilton was frequently in collision with those whose duty it was to take care of the Company's commerce at Fort St. George; and his evidence as to Collet's character is just as worthy of credit, as that of a gipsy-vagrant to the character of the parish-beadle.

With regard to the horrid barbarities at Amboyna, which Mr. Mill seems to think scarcely furnished the English with an adequate ground of complaint against the Dutch, they were heightened by the absurdity of torturing the persons accused of the conspiracy till they confessed their guilt. They were obliged to drink water till the pain became so intolerable that they confessed, in order to be relieved from it. The accusation was a mere pretence to destroy the English factory, for there is not a tittle of evidence in support of the supposed plot, beyond that which was extorted by torture. But hear Mr. Mill. "This (torture)\* was ancient and established law; and as there are scarcely any courses of oppression to which Englishmen cannot submit, and which they will not justify and applaud, provided only it has ancient and established law for its support, they ought, of all nations, to have been the most ready to find an excuse and apology for the Dutch." But with what consistency or decency ought the English to find an excuse and apology for so foul a murder, the worst features of which were, the judicial forms that were prostituted to its perpetration; the English, who had led the way amongst the nations of modern Europe, in abolishing the torture as a medium of proof in criminal accusations? For that dreadful instrument of obtaining evidence had long since fallen into disuse amongst us. Even the instance of Haywarde, adduced by Mr. Mill to shew that the rack was frequently used in the reign of Elizabeth,† fails of establishing the fact. Hume expressly tells us, that in *the ordinary trials of law*, it was never resorted to; and Lord Bacon's anecdote of the Queen's threat against Haywarde to put him to the rack, unless he gave up the real author of the book that was published with his name, shews that it was merely a threat vented in the moment of passion, and could not have been seriously meditated, when she suffered herself so easily to be laughed out of it by Lord Bacon. The English, therefore, were not bound, by any practice of their own, to find an excuse and apology for the Dutch. According to Mr. Mill, the English nation is precluded on all occasions, by the genius of their own laws and institutions, from animadverting upon crimes, however foul and savage, committed by any other. The youthful tyro in Indian history, who arrives in India fresh from the perusal of Mr. Mill's work, if he is well impregnated with its spirit, will carry thither, it is to be feared, but a slender stock of patriotic-predilections. But the affair at Amboyna, to which Mr. Mill attaches so trifling an importance, is by no means passed slightly over by other historians. Hume comments strongly on the avarice and iniquity of the Dutch East-India Company, and justly expresses his surprise that the transaction should not have made a more lasting impression in England. "Impatient,"‡ he says, "to have the sole possession of the spice trade, which the English shared with them, they assumed a jurisdiction over a factory of the latter in the island of Amboyna; and on very improbable, and even absurd evidence, seized all the factors with their families, and put them to death with the most inhuman torture. This dismal news arrived in England at the time when James, by the prejudices of his subjects, and the intrigues of his favourite, was

\* Mill's Hist. B. India, vol. i. p. 33, 4to.

† Hume's Hist. England, vol. vi.

‡ Ibid.,

was constrained to make a breach with Spain; and he was obliged, after some remonstrances, to acquiesce in this indignity from a state whose alliance was necessary to him. It is remarkable, that the nation, almost without a murmur, submitted to this injury from their Protestant confederates, which, besides the horrid enormity of the action, was of much deeper importance to national interests, than all those which they were so impatient to resent from the house of Austria." It is observable here, that a circumstance is noticed by Hume, which considerably enhances the atrocity of that wicked barbarity; namely, the unjust assumption of Dutch jurisdiction over the English factory, from which, by mutual understanding, though not perhaps by formal treaty, the English had been taught to consider themselves exempt.

Such is the spirit, in which Mr. Mill has examined the policy of our English East-India companies, through their successive changes. A testimony, indeed, to the solicitude of the Company for the protection and happiness of the country, whose destinies the mysterious ordinances of Providence have committed to their care, is more than once, as has been remarked before, wrung from Mr. Mill; but it is only to place in more prominent relief, the intrinsic vices of the system, which, according to his theory, is so radically unsound, as scarcely to be susceptible of amelioration from the benevolence and humanity of those who administer it. Nor does it appear, from Mr. Mill's voluminous work (an inference which would not fail of being impressed on the mind of the student by a candid and impartial history of the East-India Company's government), that, in the execution of their high and awful trust, they have conducted themselves with uniform integrity and honour, and with credit and advantage to the country; that they have done more with smaller means than any public body, commercial or political, or any organ of power of what description soever, ever effected before; that they have improved the moral and political character of Hindustan in an exact ratio to the extent of their domination; that they have nurtured the resources of Great Britain in peace, and strengthened her nerves and sinews in war; and that they have discharged the duties of sovereignty with parental mildness, diffusing comfort and healing amongst the millions subject to their authority, who had been ground to the dust by the tyranny and exaction of their native princes, and teaching them to look with confidence to the protection of equal law and impartial justice.

There is, moreover, another paramount object, the steady pursuit of which is carried on through the whole course of Mr. Mill's history; that of establishing the proposition, from which he uniformly reasons as from an axiom, that the Hindus are sunk in the lowest state of social and civil debasement. To sustain his degrading estimate of their national character, he institutes a rigorous inquisition, by the tests of those assumed and gratuitous rules which characterize the philosophy of Bentham, into their religion, political institutions, laws, manners, arts, and literature, to each of which he assigns a share in producing the depravity of moral sentiment which, according to Mr. Mill, prevails through the whole territory of Hindustan, and in fettering them down to that state of defective civilization, or rather of absolute barbarism, from which the population of that immense country has never emerged. In a history of British India, this must always be a subject of anxious investigation; and it is to be feared, that Mr. Mill's opinions will, in many instances, be adopted by those who, having no leisure or inclination for the prosecution of their own researches, repose, naturally enough, on the industry and good faith of the historian. There is no doubt, indeed, that Hindu civilization has had its zealots; and zeal, even in matters of the merest speculation, will always

always contemplate its objects through a transforming medium. But, receiving with due circumspection all that is overstrained and exaggerated in the brilliant pictures of Hindu refinement, which have been sketched by writers who have suffered their fancy, or their amiable partialities to a most interesting race, to overpower their judgments, we should recede much farther from the truth if we assented to those degrading representations of the moral condition of that vast population, which are alike opposed to a mass of testimony, borne by witnesses of unquestioned competency and unimpeached veracity, and by those analogies of which human history is abundantly fruitful, and which demonstrate that, under every social form, our nature proceeds onwards with a sure, though not always a perceptible pace, towards its amelioration.

Nor is Mr. Mill's proposition, if not founded in fact, merely a speculative error. It has consequences infinitely beyond those of an erroneous theory; consequences which must affect the interests and happiness of those whom Providence has committed to our protection, and impart a deep tincture to every plan of government or legislation that may hereafter be devised for that important member of our empire. For if the historian of British India is correct in his estimate of Hindu morality and civilization, it is evident that new rules and principles of administration, heretofore untried, must be adopted towards that debased and uncultured population; inasmuch as it would be folly to suppose that a system of law, and modes of administering it, framed for those whom we have habitually deemed to be a highly cultivated, and in the main, a highly virtuous people, can be adapted to a horde of barbarians, whom a brutal superstition has set loose from every law or obligation, which contains and holds together the communities of the world. The oriental student, under the conduct of such a guide, must start back, on the very threshold of his studies, with disgust from the people, in the government of which he may soon be called on to share, and upon whose destinies, therefore, his previous habits of thinking can have no insignificant influence. The knowledge, which a young writer destined to India acquires of the Hindu character, is a most momentous part of his education; and if he has imbibed unsound and erroneous notions of it, they will vitally influence his demeanour and his feelings towards those whom he has been taught to despise. They will pursue him through every gradation of civil employment. On the seat of magistracy they will pervert his judgments, and render him severe and fitful in the exercise of his power; and they will embitter and poison the warmest charities of his heart, in whatever relation he may stand towards the *despectissima pars servientium* over whom he is placed in authority. To his servants he will be an unfeeling task-master; an officious, austere magistrate in his public station, and disposed to consider a Hindu as belonging nominally indeed to the species, but endued with none of its feelings, and entitled to none of its rights—the victims of his avarice, and the playthings of his caprice. Thus the very fountains of mild and beneficent administration will be corrupted: the seeds of bad government abroad will be sown at home: contempt for those whom you govern must, in the nature of things, render your mode of administering government harsh, capricious, and austere.

Arguing, after the fashion of many ladies and gentlemen who talk about the people of India, from the fourfold distribution of that people into castes and employments, Mr. Mill takes it for granted, that it is that institution which has repressed the energies of Hindu improvement, and fixed the condition of Hindu society at the lowest point of civilization. He admits, indeed, that these discriminations of castes and occupations have, subsequently to the ordi-

nances

nances of Menu, undergone considerable modifications. But, having arrived at the *burrin-sunker*, the mixture produced by anomalous intercourses, he allows them to go no further. "This," he observes,\* "is another important era of Hindu society, and here it has rested; nor does it appear to have made, nor is it capable of making, further progress." But the truth is, that this second modification of Hindu society, in which they are fixed by Mr. Mill for ever, no longer exists. The mixed and impure castes are now, in reality, the real population of India, exercising indiscriminately the various duties and labours of life (with the exception of the brahmins); a state of things which no law or lawgiver could have prevented, because it is hurried on by those impulses of our nature to which the severest ordinances of man oppose but a feeble resistance. Had Mr. Mill's physical vision opened itself but for a few hours on the busy swarms of population in a Hindu city, his theoretical error would have been instantly refuted by his senses; for, although it is his favourite maxim, that an actual residence in India, where other requisites are wanting, confers no advantage upon the historian of India, yet actual residence, where those advantages are equal, would have dispersed one of the grossest delusions that can bewilder a person undertaking to give a description of the moral and social condition of the country. Indeed, his own habits of philosophical thinking, and the wide basis of induction on which he professes to reason, should have told him, that no institution of policy can resist the wants and necessities of mankind; but if to philosophical reasoning he had added ocular attestation, he would have seen that the mixed descendants of the ancient Hindu castes are sufficient for all the divisions of labour required in the most complex condition of society; and that this state of things necessarily arose from the natural and unrestrained process by which mankind bring their time, their strength, and faculties, mental and corporeal, into the common mart. What then is the influence of this irreversible law, which is stated to have deadened through a succession of ages the intellectual powers of Hindustan? The progress of Hindu society is undeniable; sure and unerring, however retarded: for ages are required to repair the ravages of harsh and domineering conquests, of stern and unfeeling oppression; and neither moral nor physical man is propagated by the sowing of dragon's-teeth. The social progress, however, of the Hindus, is a fact which cannot be controverted.

But this is high matter, and requires more space for its discussion. The errors of Mr. Mill, on the important subject of Hindu civilization and morality, shall be investigated in a future number.

\* Hist. Brit. India, vol. i. 4to.

## ZEMINDARY AND RYOTWARY COLLECTIONS.— NATIVE SERVANTS.

STATEMENT comparative of the Number of Native Servants employed in the superintendence and collection of the Land Revenue in Four Zemindary and Four Ryotwary Provinces under the Madras Government.

1818-1819.	In the European Collector's Office. 1.	In the Native Collector's Office. 2.	
<i>Zemindary Provinces.</i>			
Ganjam .....	74	11	Col. 1. includes servants employed in the superintendence of the custom-duties, monopolies of salt, tobacco, betel-leaf, spirituous liquors, and of sundry small farms, and licenses.
Vizagapatam .....	71	—	
Rajahmundry .....	61	—	
Masulipatam .....	81	—	
	287	11	
<i>Ryotwar Provinces.</i>			
Coimbatore .....	109	662	Col. 2. The servants entered in this column are principally employed in assessing and collecting the land revenue in detail from each cultivator. The teseldars, or head native collectors, have, in addition, to perform the duties of superintendents of police and of magistrates.
Tanjore .....	129	1,167	
Bellary } Ceded Districts	260	2,175	
Cuddapah }	120	787	
South Arcot .....			
	618	4,791	

### General Return of Native Revenue Officers in the Pay of the Government of Madras, 1818-19.

At the head stations of the Board of Revenue and Collectorates.....	1,969
In the provinces, in the native collectors' offices, and under them .....	9,616
In the customs department (inland duties) under the collectors .....	6,816
In the salt monopoly department .....	1,644
In the monopoly of the sale of spirituous liquors .....	273
In the monopoly of tobacco.....	103
In the collection of the revenue of sequestered zemindaries.....	47
In sundry small farms and licenses .....	45
In the department of repairs of tanks.....	32
In the post-office where under the collectors .....	1,063
In the magistrates department where under the collectors* .....	7,138
	28,746

\* Does not include village potails, village registrars, nor the armed police of the ceded districts.

R. R.

## THE ADVENTURES OF HATIM BENI TYE.

*(Concluded from p. 551.)*

## SEVENTH QUERY.

HUSSUN BANOO again addressed Hatim, and said : " I have heard that there is a bath called Badi-gird, and whoever enters into that bath never returns ! Where is it situated ? Clear up this enigma, and bring the result of the investigation to me ! " Hatim asked Hussun Banoo if she knew in what direction it lay. " To the westward," she replied ; " I know nothing more."

The compilers of extraordinary and miraculous tales, and the authors of amusing and curious romances, relate, that when Hatim returned from the presence of Hussun Banoo, he rested a few days in the palace of the prince of Syria. Recovered from his fatigue, he took leave of the shahzada, and set out on the seventh expedition. He travelled, stage after stage, till he came to a city, where he inquired about the bath. An old man, who had been a great traveller, informed him that the bath was situated near a city. " That city," said he, " is at a great distance. It will take you three months to get to it. The road is beset with danger. At first you will meet with thousands and thousands of lizards, as large as dogs and cats, on every side. They devour men. If you escape this death, you will then meet with a horrible blood-thirsty dragon, which has depopulated the surrounding country. Beyond this again is an immense desert, inhabited by demons. If you escape again, you will then come to Shahur Abad ; after that to another city, and in the neighbourhood of that city is the bath. O, my friend, put away this wild imagination from your mind. Why resign your precious life to inevitable destruction ? " — " But my fate is fixed, it cannot be altered." Saying this, Hatim took leave of the old man, and prosecuted his journey.

In a short time he reached the place, which was full of lizards as large as dogs and cats. They assembled around him : but as soon as Hatim displayed the talisman of the bears, they vanished into air. He addressed a prayer of gratitude to heaven, and proceeded. He soon reached the abode of the great dragon. The dragon immediately smelled the approach of a human being, and prepared to devour him. But Hatim cut the dragon to pieces with his sword. The talisman had deprived the poison of its deadly effects. After this adventure he proceeded, and what then met his astonished view ? A beautiful city, without any appearance of inhabitants. He walked about, and at last a person put his head out of a window, and said, " who art thou, and from what country ? " Hatim replied, " my name is Hatim Beni Tye. I have just slain the mighty dragon. Now tell me who you are that owns this miserable dwelling." — " I am the king of this city," said he ; " the dragon which you have killed has depopulated the country ; no one could live here ; but the city will again be crowded with inhabitants, since you have magnanimously removed the instrument of destruction." Hatim remained with him several days, and saw the city progressively improve, and regain its original grandeur.

He went on, and after some days came to a desert. He passed by two or three coffins, with the dead in them. He travelled on, and saw twelve other coffins—then fifty. Hatim was greatly surprised, but pressed forward till he came to the city which had been pointed out to him. He entered the city, but saw not a living soul. He then came to a magnificent garden, full of every thing delicious and charming. Suddenly he heard a voice of lamentation ; he listened, but could not ascertain from whence it proceeded. He listened again, and

and looked towards one of the apartments. The voice proceeded from one of them, but the door was locked. He broke the lock immediately, and went into the chamber, but it was empty. He was about to return, when looking to the upper part of the chamber, he saw forty enchanting damsels suspended by the hair from the ceiling. One of them was so infinitely beautiful, that the whole place was illuminated by her countenance. Hatim wished to take her down, but she screamed, and said, "do not raise your hand on my account, you have no power to release me. But say, how happened you to come here?" Hatim replied by telling the object of his inquiry, and recounting the adventures he had performed. "Did you not meet with demons on the road?"—"No," replied Hatim. "In yon garden they are drinking wine. There are forty chiefs, and in the hands of each is a key. The moment you get possession of those keys we shall regain our liberty. No other person can effect the purpose."

Hatim turned round, and went in search of the garden. He found the forty demons sitting and drinking wine. When they saw him come near they called aloud, while he took his bow and prepared it for use. "Bind that presumptuous intruder, and bring him to me." Hatim shot an arrow through the body of the demon who attacked him, and he fell lifeless to the ground. In this same manner the whole forty were destroyed. Hatim took the keys, and returned to the chamber of the women. He rubbed the keys on the head of each damsel, and they immediately fell down at his feet, full of joy and gratitude. Hatim asked them who and what they were. They replied that their father was the principal man in the city. His name Moobarik Shah. "One of the demons fell in love with me, and demanded my father's consent to marry me," said the most lovely among them. "My father refused. In short they went to war. My father and his army were defeated, and put to the sword. Again the accursed demon paid his addresses to me, which I again refused. The consequence was, the punishment from which you have just released us."—"I shall now," said Hatim, "conduct you to whatever place you desire." "My grandfather, whose name is Mahomed Shah, resides forty miles from this place. Affliction for our loss has brought him almost to the grave. Let me be conducted thither." Hatim accordingly accompanied the princess to her grandfather, and afterwards proceeded in his original investigation.

He came to a city, and the king of that country was called Jusrut Shah. Hatim immediately paid his respects to him. He said that he had quitted his own country in search of the bath called Badi-gird, and trusted that he might be directed to the place where that curiosity was to be seen. Jusrut Shah said, "O, Hatim, this is a foolish pursuit; whoever goes into that bath, never returns. No one knows what it is. I have heard that it was constructed by the sage Aflatoon (Plato). Why would you unprofitably sacrifice your life?" When Jusrut Shah found that his warnings were given in vain, he wept, and permitted Hatim to depart. But he wrote a letter to Foulad, who was the king's slave, and had the care of the bath, not to let any person into it without his orders. After several days he arrived at the spot, and delivered the letter to Foulad. In three days more he took leave of Foulad, and proceeded to the bath. He went in: the door-way appeared and then vanished. Hatim was thunderstruck, but still pressed forward. In the evening he laid down under a tree and slept. He rose with the morning, and looking round, beheld a splendid palace; within was a garden more beautiful than fancy would conceive. "This surely is the light of heaven," said he, internally. He passed the whole day in this delightful retreat, which abounded with every sort of fruit.



In the evening he went into one of the chambers, where he sat down in silence. One watch of the night having passed, all the garden became illuminated, and every moment the splendour increased. He on a sudden saw a troop of most beautiful peris, adorned with robes of gold and silver, with lamps of camphire in their hands, approach. A throne covered with emeralds appeared, upon which a transcendent beauty sat. All the peris stood respectfully around her. She said to one of them, "there is a stranger in one of the chambers, bring him to me." Immediately a thousand peris repaired to the spot where the stranger rested, and communicated the commands of their queen. When he came into the presence of the damsel, he bowed to her respectfully, and praised her charms. The damsel caught hold of his hand and seated him on the throne. She called for refreshment, and presented it to him with her own hands. Wine was brought, and freely circulated. She gave a goblet to Hatim. The instant he drank he lost all sense of shame. He threw his arms round her neck and kissed her, and wished to embrace her. The damsel, withdrew her hand and said, "kings and princes have sighed for me, and have never yet seen me. O, Hatim, consider it a bounty that you have been favoured with this dalliance. First bestow your caresses on those who surround me; I am then yours, willing and happy to conform to all your wishes. Take your choice." Hatim spurned the world of existence, and seized one of the damsels by the hand. He was supremely happy, but soon lulled to sleep.

In the morning he was astonished to find no trace of the night's magnificence. Not a damsel or peri to be seen. At midnight the same revelling commenced; refreshments were produced, and wine circulated around. In this manner six nights passed away; the seventh came, and the queen of the peris felt assured that Hatim could be no longer prevailed upon to drink the wine. Music was brought, she threw her arms round his neck, and kissed him. In consequence of the kiss, he fell insensible on the ground. He remained in the same situation all night, and in the morning when he awoke all had vanished. Not even the palace or the garden remained. Under his head he found a withered rose, much bruised; and he set forward through the desert with a melancholy and sorrowful heart. His thirst became excessive, and he was almost exhausted. Accidentally, he saw an old woman sitting under a tree. A screen was suspended before the door of her house. He asked for water. The old woman said to her daughter, "give the traveller some water." The daughter immediately filled a glass, and gave it to him. As soon as he saw the daughter, the arrow of love was fixed in his heart, and for a time he forgot every former impression. He was incessant in his civilities to the old woman; but whenever she went out on any business, Hatim was invariably in a corner with the daughter. The daughter, however, was rigidly virtuous, and admitted of no familiarity without the consent of the old woman, her mother. Hatim agreed to marry her, and the ceremony was performed. In the evening a bed was prepared for Hatim, and he expected his wife to sleep with him. This she refused, on account of her mother being under the same roof. Hatim was surprised and angry at this unexpected conduct, and he asked the old woman's leave to depart. She reluctantly granted his request, and gave him an ass to carry him. "Take this ass," said she, "and go." When he attempted to mount him, the ass gave him such a kick, that he fell senseless to the ground. He soon recovered, and then saw neither old woman, daughter, nor ass.

He found himself at the top of a mountain, in great distress and embarrassment;

ment ; but he travelled on, and observed a door, which he immediately entered, and saw an old man, a fakeer, sitting under a tree. When the fakeer noticed Hatim, he accosted him, saying, "young man, if you wish to live, go away, for in this forest are numberless man-devouring animals." Hatim remained three days with the old fakeer ; on the fourth he went out, and a large animal caught him up in his claws, and flew away with him. Another animal approached, and they fought each other. Hatim, in consequence of this contest, fell into a hole. On opening his eyes, he saw another door, which he also entered, and beheld a widely extended lawn. He traversed this lawn, and in the evening he came to the gates of a city. He remained there all night, and in the morning the gate was opened. He went into the city, and all the ministers or pillars of the state of the kingdom appeared before him. They approached, and placed the crown of sovereignty upon his head, with ceremonious congratulations. Hatim said, "whence these honours and this shew of splendour ? I do not approve of this mode of constituting a king." All the people replied, "this is the usage and custom of our country. When the king dies, we salute the first traveller who enters the city-gate in the morning as his successor, and give him the kingdom. To-day it happens to be your high destiny, and you are king for life." Hatim was silent, mounted the throne, and commenced the exalted duties of sovereign. In the evening, the khaja scarees, or chamberlains, came, and represented that there were seven separate suites of apartments, which were to be alternately appropriated to his use. Hatim rose and visited all the apartments in the palace. He saw the queen, with her handmaids, dressed in white. The queen had a nosegay of white flowers in her hand. When she observed Hatim, she rose from her throne, and respectfully greeted him. She gave him the nosegay. The night was passed in joy and dalliance.

In the morning he went to the bath, and afterwards dressed himself in royal garments, and transacted the affairs of the state. In the evening, the khaja scaree of the second suite of apartments reported that the royal couch was prepared. Hatim, according to the established usage, again passed the night in joy and delight. The writers of romantic histories record, that Hatim passed six nights in a similar manner. On the seventh night, the prime ministers and pillars of the state came forward and said, "those kings who have gone into this seventh suite of apartments never remounted the throne of loyalty. Your majesty had better not go there to-night." Hatim did not attend to their advice, but went in, and found the queen and all her handmaids. He received from her a nosegay, and lay down on his couch. Wine was brought, and the hours glided away in voluptuous delight. The queen, however, was disobedient to his wishes. He grew angry, but she soothed him with flattery and kindness. She plucked a rose from her own nosegay, and gave it to him, saying, "take this, and all your wishes will be gratified." The perfume of the rose deprived him of his senses. He rolled on the ground, and when he came to himself, he saw nothing but an extensive desert before him : nothing of the enchantment remained.

Embarrassed and distracted, he pursued his journey. He was parched with thirst, and almost at the point of death ; suddenly he saw a human being, whom he discovered to be a barber, and who put a looking-glass in his hand. Hatim asked how he had got into the desert. The barber said, "O, young man, in this neighbourhood there is a bath, which the king of this city has constructed for the benefit of travellers, and I wait upon every traveller who comes." Saying this, he took hold of Hatim's hand, and conducted him on the

the way. On entering the bath, Hatim observed a lofty cupola, which almost reached to the heavens. He was agitated and astonished. The barber said, "young man, you must here strip off your clothes." Hatim did so, accordingly, and sat naked upon a chair. The barber cleaned him, and, filling a glass of water, gave it to him. On receiving the glass, the water was sprinkled over his head. At the same instant a noise of thunder rose from the glass, and all was dark. The place became inundated with water. Hatim was obliged to swim, and at last got to the top of the cupola, to which an iron ring was fixed. He caught the ring, and at the same moment another thundering noise was heard. He lost the power of his hands and feet, and after some time found himself in the middle of a garden, abounding with pleasant walks and delicious fruits. He walked about, and ate of the fruit, highly gratified and delighted.

He happened to pass under a rose tree, where a great number of stone idols lay scattered about on every side. On a marble slab was written, "upon a branch of this tree a golden cage is hung, in which a parrot is confined; under the tree there is a flight of steps, upon which there lies a bow and three arrows. Whoever kills the parrot with one of the arrows, will in an instant see that the parrot will become a diamond, the size of a bird's egg. When this charm is accomplished, he must return to his home; but if he betrays the secret to any person, he will be transformed into a stone image, and remain under the tree." Hatim read these instructions, and, after much deliberation, determined on trying his fortune. He took up the bow and three arrows, and aimed at the parrot, but missed. The parrot cried, with enchanting voice, "young man, wherefore bring yourself into distress? you may kill me, but you will be turned into stone." While the enchanted parrot was saying these words, Hatim's legs were transformed into stone, and he had not the power to move. He was astonished, and praying to heaven, aimed the second arrow at the parrot. He missed it again. The parrot cried, "O, young man, my death is not in your hands, why trouble yourself thus?" While the enchanted parrot was saying these words, Hatim was petrified to the middle. He prayed to God and the prophet, and took aim with the third arrow, which penetrated the belly of the enchanted parrot, and killed it. Instantly a most tremendous howling was heard, and the heavens rained fire and stones. All was dark and dreadful. Again Hatim prayed, and at length the darkness subsided. He then saw a brilliant diamond as large as a bird's egg, lying under the tree. It illuminated all around. Hatim took it up, and in a moment all the stone idols returned to life, and began to mutter and pray. They crowded round him, and fell at his feet. Hatim gave them encouragement, and they accompanied him on his journey. In a short space he arrived at the bath called the Badi-gird; the watchmen of the bath were surprised to see Hatim, whom they knew, and immediately conveyed to Foulad. Foulad paid him the highest honours, and asked him about all that he had seen in the bath. Hatim repeated the whole story, to the great wonder and amazement of Foulad. He remained with him three days, and partook of a magnificent entertainment given to him.

After this he took leave, and directed his progress back to Shahabad. The prince of Syria was frantic with joy. They both immediately repaired to Hussun Banoo. They were again introduced, and the splendid tapestry suspended between them; she enquired about the bath Badi-gird, and Hatim informed her of all the opposition he had encountered, and all the wonders he had seen. "You are right," exclaimed Hussun Banoo, "in this manner have I heard it from my nurse. O, Hatim, the seven queries, the seven wonderful conditions,

conditions, are now explained and completed : I am yours, entirely your own, dispose of me as you please." Hatim replied, "O, Hussun Banoo, the long night of separation and mourning is, at last, dispersed by the sun of success. The prince of Syria has loved you long." Here Hussun Banoo said to her prime minister, "prepare the marriage-feast." Accordingly, golden tents, embroidered apparel, and the most precious jewels, were displayed on this grand occasion. The prince of Syria and Hussun Banoo were united.

After the wedding had been celebrated, the prince of Syria expressed his boundless gratitude to Hatim, and begged him to stay a little longer; but this was impossible. Hatim was anxious to return. He took leave and departed. When he arrived in the country of the king of the bears, he rested there several days, and renewed his endearments with the daughter, to whom he had been married. He, however, longed to be at home, and begged that the king would allow him to depart. This at length was agreed to, and the king made him magnificent presents of gold and precious stones. After all these surprising and perilous adventures, after surmounting so much danger and difficulty, Hatim reached his native kingdom in health and safety, and gave splendour to the throne of his ancestors by his wisdom and generosity.

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### BURMAN MEDAL.

*To the Editor of the Asiatic Journal.*

SIR : I beg leave to remind you that, at the conclusion of the two years' arduous struggles in Ava, a general order was promulgated from head-quarters, thanking the troops for their gallantry, and patient endurance under privations and sufferings of no ordinary nature, in the two campaigns. This meed of praise, from so high a quarter, was certainly very gratifying; but the clause in this general order, which gave those who were engaged in the Burman war the most sincere pleasure, was that in which "a medal, with a suitable inscription," was distinctly promised. We who were engaged have been looking most anxiously in every number of your excellent periodical, for the last three years, for the announcement that the medals were ready for delivery; but no mention whatever of this ardently-expected reward has yet greeted our sight. True it is, the Honourable Company bestowed upon us a pecuniary reward, in the shape of batta, amounting to £60 to subalterns, and to the higher ranks in proportion; but we must candidly confess, that we are not content with this, and would most cheerfully have relinquished the batta for this much-prized ornament at the button-hole: we still confidently hope that we shall yet be gladdened with both, if the medal has not slipped the memories of those in authority. The expense of preparing medals would be very trifling, and the accession of military zeal, that would be infused throughout the Indian army by a distribution of them, would amply compensate for the expense that might be incurred. Highly are the Seringapatam medals prized by the native troops, and proud would they be to shew a badge of merit for their service in Ava. I have no wish to make invidious comparisons, but I must say, that it is rather hard upon those who served in Ava, and were subjected to such hardships in a most unwholesome climate, and for so long a period, to receive "thanks," and a few pounds of "batta," when those who served a pleasant campaign of a month before Bhurtpore, have, in addition to "the thanks," a handsome allowance of "prize-money." Our expectations have been raised by the promise of the medal, and we earnestly pray that they may be shortly fulfilled.

I am, sir, &c.

Chatham, April 1829.

EQUES.

## THE EAST-INDIA AND CHINA TRADE.

THE subject of the trade between this country and the East-Indies and China has at length been brought before Parliament by a motion in the Lower House, on the 14th May, for a select committee of inquiry, which was negatived; an assurance being given by ministers, that a committee would be moved for early next session, for the purpose of collecting ample information regarding every point connected with the momentous questions which would come under the consideration of Parliament, at the period when the East-India Company's charter will be either renewed or suffered to expire.

The industrious efforts which have been made throughout the country for a considerable time past, the misrepresentations of irresponsible pamphleteers and itinerant quacks and lecturers, designed to inflame the public mind on this topic, and to pander to public prejudices, have produced, as might be expected, at a period when severe distress exasperates the feelings of all classes connected with the trade and manufactures of the country, a violent outcry against the East-India Company; and it will require the utmost vigilance and fortitude on the part of Government, supported, as it ought to be, by sober and reflecting men, to guard the Legislature from being overborne by the clamour. Every engine that interest and malice can devise will be employed to excite the public mind, to bias the decision of Parliament, and to poison the sources of intelligence. With what impunity and success the most audacious acts of deception may be essayed, is proved by the fact, that a pamphlet (the Report of the Liverpool Association), the false statements contained in which must be obvious to any person who will take the trouble of examination, has probably misled Mr. Whitmore into an assertion in Parliament which is, as we shall have occasion to shew, totally inconsistent with facts.

When manufacturers and operatives are told that there is an effectual demand in India and China for three hundred millions\* worth of the very goods which are now unsaleable abroad at prime cost; that the monopoly of the East-India Company is the only obstacle to the operation of that demand upon the English market; when they are assured that a free trade to India and China is a panacea for all the evils they endure; is it to be wondered at that they greedily catch at the bait, and, failing to detect the fallacies which are addressed to them, that they adopt with avidity every plausible argument which fortifies their conviction? It is stated, with an air of ridicule, in one of our public journals,\* remarkable for its hostility to the Company, in adverting to the infatuation of the manufacturers of Lancashire, that "they are looking for a mine of wealth from the opening of the India trade."

Were we not fully aware of the nature of the arguments which are addressed to the manufacturing population, by individuals who merely look either to the gratification of revenge or to the augmentation of their agency, without regard to other consequences, we should detect it in the language of some of the petitions addressed to Parliament. We select a few examples.

In the petition from the operative weavers of Carlisle and its environs,\* the petitioners begin by setting forth the low rate of their wages, their average earnings not exceeding 6s. per week, after working fifteen or sixteen hours a day: proving, they observe, that "some salutary legislative measure is indispensably requisite to obviate the real producers of wealth from becoming one general mass of paupers." They then proceed to their specific:

\* Times, 18th May.

† Presented 12th May.

The petitioners are of opinion that the monopoly enjoyed by the East-India Company is to them a material injury ; it appears obvious to the petitioners, that the Company's engrossing nearly the whole of the trade in the East-Indies, supersedes that fair competition in the market which would *advance the price of labour*, and reduce the price on articles of consumption ; that the enormous and extravagant profits derived from the trade by a privileged few, are so much deducted from the earnings of the industrious workman, which he would enjoy by fair competition : under this impression, the petitioners humbly solicit that the house will give notice, that the charter will not be renewed.

Thus, these poor people have been led to believe that the monopoly of the Company has reduced their wages ; and that a free trade to the East, where they would encounter the rivalry of weavers, who work nearly the same number of hours per day, and obtain only 1s. 9d. per week, would "advance the price of their own labour !"

Again : the petition from Wigan\* states :

Many thousand persons residing in the parish of Wigan, and formerly fully employed in the manufacture of cotton goods, which is the principal manufacture carried on at Wigan and its vicinity, are now suffering great privations for want of sufficient employment, and in consequence of the very low rate of wages ; that many of the petitioners are extensively engaged in the cotton manufacture, which is in a state of great depression, from which state of depression the petitioners are convinced it would be restored by opening the trade to China, and removing the impolitic restrictions on the trade between this country and the East-Indies.

The petition from Wakefield† represents that "a removal of the Company's restrictions on the consumption of woollens by the immense population of India and China, would restore the town of Wakefield and its neighbourhood to its former prosperity." The petition‡ of the landholders in the vicinity of Launceston, in Cornwall, sets forth the depressed state of the wool trade, and the decrease in the flocks of sheep, in consequence of the low price of wool, owing to the importation of foreign wool at a low duty, but "mainly to the monopoly engrossed by the East-India Company."

Some of the petitions, by a singular species of inconsistency, enforce the justice of a free trade with India by arguments derived from the impolicy of the recent change in our commercial system, whereby we approximate to a general freedom of trade. Thus the petition from the Staffordshire potteries§ alleges that "the present distress of trade is occasioned by the policy of our Government in admitting for home consumption the manufactures of foreigners into competition with our own ;" therefore, say the petitioners, it is necessary to look to new countries and to our dependencies for relief, and to open the trade with India. The petition from Kidderminster|| argues, that as the United States of America and the European states are adopting regulations for the encouragement of their own manufactures by excluding British productions, "the period will be rapidly accelerated when our trade *must inevitably decay* ;" and that it is, therefore, our obvious policy to protract that period, by throwing open the eastern trade.

Some of the petitioners aspire to the lofty language of moral sentiment, and mix ethics with their arguments. Thus the tradesmen and manufacturers of the little town of Cockermouth have been incited by their virtuous indignation against monopoly to declare, in their petition,¶ that "the exclusive privileges

of

\* Presented 13th May.

§ Presented 12th May.

† Presented 7th May.

|| Presented 11th May.

‡ Presented 6th April.

¶ Presented 12th May.

of the East-India Company are a stigma upon the country, and upon the intelligence of the age in which we live !”

Manchester, which, about a month previous to the date of its petition,\* had preferred another, protesting against the reduction of the duty on foreign silks, and urging a total prohibition of the importation of those articles, and which, at the very time of its presentation, was in open rebellion against the laws, with a view of obstructing the operation of free-trade principles, is violent in its appeal for a free trade with India, holding the restrictions thereon to be “unjustifiable by any plea of state necessity.” Bristol, which, like Liverpool, was once as strenuous an advocate of the justice and policy of the slave trade, as it now is of a free trade with India, has transmitted a petition† which deserves to be quoted. It begins by asserting that the *privilege* of trade and free intercourse with all friendly countries, and particularly such as form an integral part of our empire, is the *inherent right* of the British public: *rights* and *privileges* are therefore convertible terms. It then asserts, that it is essential that the *right* of free settlement (which may mean only a *privilege*) should be *secured* to Englishmen. Then it alleges, that “the beneficial measures introduced into India by his Majesty’s Government (though what they were we are unable to guess) form a striking contrast with the timid, vacillating, and tortuous policy of the East-India Company,” whose liberal, enlightened, and benevolent system of government has been praised by almost every speaker in the House of Commons. The petition next states, that “long and calamitous experience has proved the incompetence of the Company to conduct their commercial, financial, or territorial affairs with advantage to themselves, to our eastern empire, or to this kingdom.” The absurdity of this production is completed by the insertion of the following passage, which seems to be a resolution of some meeting, adopted by the blunderer who drew up the petition, without any change of phraseology.

That since unrestricted intercourse with the countries to the eastward of the Cape of Good Hope will, on the approaching expiration of the present charter, become *again* the *legal* as also the *natural* right of Englishmen, it is the interest and the imperative duty of all classes of his Majesty’s subjects to adopt such measures, and to apply such collective and individual exertions as will prevent a renewal of the Company’s charter.

These few extracts will be sufficient to shew the ignorance, the confusion of ideas, and the interested motives of the petitioners to Parliament. We shall now take a brief view of the debate on the motion of Mr. Whitmore, to which those petitions were auxiliary, and of which a faithful digest is given in our present number.

The speech of Mr. Whitmore has been praised for its moderation: commendation should go no further, for it is remarkable for the very narrow view which it takes of this great question; for the superficial manner in which the few topics it touches upon are discussed; and lastly, for the contempt which is displayed in it towards the arguments of the adverse party. “Groundless,” “futile,” “absurd,” “ridiculous,” and even “stupid,” are the terms which, according to the reports in the newspapers, the hon. member applied to the objections of his antagonists. This compendious system of logic is employed with singular effect in a petition presented by the hon. member himself, in favour of restrictions of another kind,‡ from the place he represents (and we must presume he participates in its sentiments since he did not state to the contrary), wherein it

\* Presented 12th May.

† Presented 12th May.

‡ February 29th, from the bailiffs, burgesses, and inhabitants of Bridgenorth.

it is asserted that "a motion for the admission of Roman Catholics to a participation in the legislative power is, in itself, a *perfect anomaly*."

The first and the favourite topic of Mr. Whitmore is the disapproval of the *ridiculous* suppositions of those who, in 1812, anticipated no material extension of our trade with India, because that country could not, or would not, be large consumers of our manufactures. These anticipations, he says, are falsified by the result, which has shewn that the Hindus have been consumers of our manufactures, our cottons in particular, to an amount forty-fold greater than at that period. It would have been but common candour towards the eminent and experienced individuals by whom these anticipations were formed, had Mr. Whitmore pointed out the real causes which have enabled the English manufacturer to compete with labourers who work at 3d per day. The witnesses, to whom Mr. Whitmore alludes, spoke with reference to the existing state of things, not being gifted with the spirit of prophecy. What they asserted, therefore, is not falsified by the result, any more than the testimony of a man given fifty years ago, as to the probable time a vessel would require to go from port to port in India against the monsoon, would be falsified by the result of a voyage performed by a steam-vessel. The advocates of free trade themselves, upon that occasion, did not foresee the wonderful abridgment of manual labour which has taken place in our cotton-factories since the evidence alluded to was given; they must be assumed to have maintained our ability to compete with the Hindus in their cotton fabrics as the manufacture then existed in this country, and according to the then price of labour; but had these two circumstances remained *in statu quo*, the ridicule would probably have rested on the contrary side.

As this prodigious extension of our export trade with India forms the basis of Mr. Whitmore's arguments, and is the theme of declamation in all the petitions, we think it necessary to say a word or two more upon this part of the subject. No species of proof is more available for the purposes of deception than that which, at first sight, appears the least suspicious, namely, official accounts of trade. Assuming them to be perfectly honest, if taken apart from other considerations, they are often completely delusive. It was well observed in the House of Commons, on another occasion, by an able political economist (Mr. Attwood, one of the members for Callington), that two or three years back, whilst Ireland was in almost the lowest stage of commercial and agricultural distress, when the poor depended for subsistence upon subscriptions in this country, and every class talked of ruin, the official returns of exports were far greater than had ever been known before, or has been known since, and may be appealed to hereafter as an evidence of the country's prosperity at that crisis of general beggary. The solution of this apparent problem was very satisfactorily stated by the hon. member; the increased exports were, in fact, a proof of the distress, rather than the prosperity of the country. So, if we apply ourselves to a candid investigation of the facts, there will be abundant reason to think that a large proportion of our exports to India has not been either a cause or a consequence of commercial prosperity; and that, with all the astonishing advantages we possess, our manufactures have introduced themselves into India chiefly by reason of their being offered there at less than the prime cost of production. It will be objected, that such an unnatural state of things could not continue long; but such has been the condition of our trade since the peace, which curtailed our foreign demand, whilst the improvements in machinery have been multiplying the power of production at home, that our manufacturers became overburthened with stock;



a succession of speculators sprung up, one after another; fictitious capital supported their transactions, and gave a sort of Voltaic motion long after vitality ceased. Hence we perceive in our public newspapers, when the causes of some sudden convulsion in the commercial world are explained, exorbitant trading to India, and over-speculation in exports of cotton manufactures to that country, are mentioned as the chief.

Persons uninitiated in the nature and theory of trade, as it is *now* conducted, will require more information still, before they can safely trust official returns of trade as criteria on this important question. Some of the large manufacturers in the northern counties, Lancashire in particular, have become merchants and exporters on their own account, not as heretofore, mere producers for those who export. This has been partly the result of unavoidable necessity. When the stocks of these manufacturers increase to an inconvenient extent, for want of an effectual demand, they are impelled, as much by a feeling of humanity towards their artizans, as by mercantile policy, to seek a vent for them at a sacrifice which will release their stagnant capital. Consignments are, therefore, made to India; a discretionary power is vested in the consignee to dispose of them to the best advantage, with some hopes that the profit on the returns, with the low rate of homeward freight, will reimburse the loss. As the goods carried out by the free-traders, especially from Liverpool, have a rather soiled reputation, they are often sold for what is figuratively termed a *song*. Sometimes an American trader kindly relieves one of these manufacturers, by taking the Pelion from the Ossa, in exchange for bills, which may or may not be paid. The American carries the goods to China, where they are bartered for refuse tea; or if the American sells them, the price of the goods is *honestly* reduced by him in proportion to the value of his bills.

For proof of what we have stated in regard to the deteriorated price of Europe goods abroad, it is only necessary to look at the trade reports from China and India. A *Canton Register* of February 25, 1828, is now before us, in which there is a commercial report, wherein occurs the following statement:

*Europe Goods.*—Of these the imports have been very abundant. The supplies by direct and American ships have been in such quantity, that not an article of British manufacture can be named that would realize within ten per cent. of prime cost.

Again; the last *Price Current* received from Calcutta\* contains the following passage:

*Europe Goods.*—A large stock of every description pressing on the market, and sales very limited, even at the low prices quoted.

A London paper† has the following remarks upon the results of the free trade, of the truth of which we see no reason to doubt.

The trade to British India has been open to the public since 1814; and we venture to assert, that there never was a trade embarked in by any body of men which has proved more injurious to the manufacturing interests of this country. It has ended in almost general bankruptcy. It has beggared nine out of every ten persons who have engaged in it. It has lost to Glasgow alone upwards of a million of money. It has encouraged rash, calamitous, and, we might add, nefarious speculation; and it has taken from the profits of our labour that portion of them which should have accumulated to form the capital required to invigorate fresh exertions. These are the results of this boasted trade. If they be questioned, we shall prove their truth by appealing to the books of every

\* Dated January 8.

† The *Morning Journal* of May 15.

every merchant who has for the last ten years exported manufactures to India. We appeal to the books of the ship-owner who has been sailing his vessels at his own expense, and bringing to England cargoes, as the returns of adventures, which have in many instances sold at a loss of seventy-five per cent. on the value of the goods exported. Call in the bankers of Glasgow, and they will confirm what we state. Ask the ship-owner if freights reduced to twenty shillings per ton can pay the price of the salt consumed by his sailors on their homeward voyage. But such are the results of that trade, that was to bring with it wealth to the merchant, and give encouragement to the artisan.

Who, then, it will naturally be asked, are the parties who have gained by this free trade, to India, and who calculate upon gaining more by its further extension? That some persons have gained by it we are bound to admit; but who are they? We shall explain. There are in London, Liverpool, and one or two other places, certain overgrown and affluent houses, who are to the manufacturers of this country what the middlemen are to the poor farmers of Ireland. They are familiarly called *commission-agents*—men to whom the merchant consigns his goods for exportation to India. The system which these agents pursue is one that cannot be too loudly condemned. It is attended with the most ruinous consequences. It directly encourages speculation, and leads to bankruptcy. It is profitable to the agent; but it is ruinous to the merchant, and extremely injurious to the manufacturer. They receive, for example, from a merchant in Manchester or Glasgow a quantity of goods, the invoice price of which is £5,000. On this consignment these agents will instantly advance £2,500. They advance this, *by bill*, the moment the goods are received in their warehouse, preparatory to their being shipped to India. Their credit being unexceptionable, this bill is speedily converted into money. With this money, and more extended credit, the merchant is enabled to purchase a still larger quantity of goods. His next consignment is to the amount of £20,000. For this he is promptly advanced, *by bill*, also £10,000. He thus goes on with his purchases, and has no difficulty in being a few hundred thousand pounds in debt, even before the goods of the first consignment have reached the India market. The consequence is, he inundates it, his goods sell at a tremendous loss, and he subsequently becomes an insolvent, owing thousands of pounds for every penny he ever was worth in the world. This has been the case with almost all the merchants connected with India whose names have appeared in the *Gazette* within the last few years. The manufacturer has been the sufferer; the country, generally, has borne the loss; but the agent, nevertheless, has been enriched. He disposed of his consignments as quickly as possible, and at any price, provided it only covered the amount of his advance. These are the only individuals who have reaped any benefit from the free trade to India, and they have reaped this benefit at the expense of all the other interests of their country.

But admitting, it may be said that much of the increase in the trade to India since the last renewal of the charter is fictitious, it has certainly increased to some extent. No doubt: and it had been increasing for many years before, in spite of the assertions made to the contrary. It is one of the artifices and uncandid modes of argument adopted by the adversaries of the East-India Company, to cull items and institute comparisons between periods which do not show the real state of the facts. It is part of Mr. Whitmore's case, that whilst the trade was confined to the Company, it was stationary or deteriorating. What are the facts? Mr. Milburn, a writer upon whom Mr. Whitmore confidently relies, gives the following statement\* of the Company's exports (exclusive of bullion) and imports for 102 years, from 1708-9 to 1809-10, founded, as all his statements are, upon official documents, uniform in their rates of valuation :

Periods.

Periods.	Merchandise exported from England. £.	Average. £.	Merchandise Imported into England. £.	Average. £.
26 Years, 1708-9 to 1733-4 ...	3,064,774	117,876	33,571,709	1,291,219
32 — 1734-5 — 1765-6 ...	8,434,769	263,586	64,452,377	2,014,136
27 — 1766-7 — 1792-3 ...	16,454,016	609,408	101,383,792	3,754,955
17 — 1793-4 — 1809 10...	31,060,752	1,827,103	102,737,954	6,043,409

Mr. Milburn adds, that in the last ten years, the Company's exports amounted to £21,413,807, or upon an average £2,141,380 per annum, whereof, he says, "more than one-half consisted of the staple manufacture of the country, woollens." Thus, in the interval between the first and second periods, the exports had increased 175 per cent.; between the second and third periods they made a further advance upon the former increase of 95 per cent.; and in the interval between the third and last (the shortest) period, there was a further increase upon the last of almost 200 per cent. ! The imports increased nearly in a geometrical ratio in each interval. Where Mr. Whitmore obtained his figures, which represent the Company's exports as gradually diminishing in amount since 1790, we cannot imagine, unless from the mendacious report put forth by the Liverpool East-India Association, which has misled many others. We quote our authority; and if that be correct, as we sincerely believe it is, we have not only to charge Mr. Whitmore with committing a very important and fundamental error, but we are entitled to retort his argument, and tell him that, according to his principle, the country has been a loser by the free trade, which has not increased the exports to India from this country, notwithstanding our boasted improvements, in the same ratio as they augmented antecedently to the opening of the trade.

We have another observation to make on this point: we have satisfactorily explained the cause of the extraordinary and incalculable augmentation in the exports of cotton manufactures, which constitute, in fact, a new article of export, unknown to the trade in former times. Let us, by way of experiment, subtract the amount of British goods (including twist and yarn, a very equivocal species of *manufacture*) from the aggregate amount of the exports last year (the largest on record), and then compare the amount with the Company's exports in former times, *viz.*

Total exports to the East-Indies and China in the year ending 5th January 1829 .....	£5,212,353
Deduct Cotton manufactures.....	£1,656,755
Twist and Yarn .....	393,135
	<hr/> 2,049,890
	<hr/> £3,162,463
Deduct Company's exports .....	1,098,810
Free trade, exclusive of Cottons.....	£2,063,653

So that, but for the introduction of a new article, the free traders would have exported £2,063,653 worth of British and foreign goods last year, which is less than the amount of goods exported from England by the Company in any year between 1802 and 1810 !

To be sure, the arguments employed against the Company are so flexible and versatile, that they meet us on every side. If the trade can be made out as increasing, in a surprising ratio, since the admission of free traders, that is  
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an argument against the renewal of the charter, because it shews what free trade can do; if the trade has not increased in its former ratio, this has been owing to the remaining restrictions of the charter, which therefore ought not to be renewed.

But the picture is not complete unless we look at the imports, which are the profitable exchanges for the commodities exported. In the table we have given from Mr. Milburn's work, the imports of the Company had increased from one million to two millions, from that to nearly four millions, from that to six millions. Notwithstanding their trade with their own territories has been relinquished by them to the free traders, the amount of their imports has scarcely diminished. In 1827 it was £6,148,077; in 1828, £5,576,905. On the other hand, the private traders' imports, Mr. Whitmore admits, have increased since the charter only about a million of official value.

We should not have extended our observations on this part of the subject to such a length, but for the striking tendency to deception disclosed in the statements of Mr. Whitmore; proceeding, no doubt, from the sources from whence they are taken.

The cause which has arrested the improvement in the import trade, Mr. Whitmore traces to the prohibition against Europeans settling in India; colonization, according to his theory, is essentially and absolutely necessary to the prosperity of the import trade. Independent of this motive, the settlement of Europeans in India is represented by him as eminently conducive to the "happiness of the natives;" the opposite opinion he pronounces a "downright absurdity." We have nothing to add to what has already been observed in this Journal upon the dangers which experience as well as theory demonstrates to be attendant on the free resort of Europeans to India: no disinterested and unbiassed person, who knows what the natives of India are, will heed the vague declamation, which represents colonization and free settlement in India as the instruments of ameliorating the Hindus. A free resort of Europeans to India would, indeed, be extremely convenient to traders, and facilitate greatly their transactions with that country, so long as it continues ours. So far the argument of Mr. Whitmore is plausible enough. But he keeps almost wholly out of sight, very unfairly, we think, the consideration which suggested this restriction. He, indeed, distinctly asserts, that it was devised to secure to the Company their monopoly; we contend that its sole object was to secure to the country its splendid eastern empire. The restraint is for political, not commercial purposes; and to say that it is embarrassing to trade, is to say no more than might be predicated of custom-houses, and king's duties, and revenue laws, the absence of which would give a much freer scope to the energies of commercial enterprize. To institute a comparison, as Mr. Whitmore has pretended to do, between our Indian possessions and the colonies of ancient Rome and modern Russia, and to contrast their policy with ours respecting India, is (to use his own mode of argument) perfectly puerile. Not only are the cases altogether dissimilar, but there is no example in the history of the world which exhibits any parallel or analogy to India's connection with England. It is this fact which embarrasses all our efforts. We can derive no aid from precedent, no instruction from the success or the failure of any former experiment; and every step we take is *per ignes supplicios cineri doloso*.

We have not space to examine the minor allegations of Mr. Whitmore in regard to the India trade, all of which are more or less distinguished by exaggeration and distortion. We proceed to consider his observations upon the China trade.

The honourable member sets out with stating, that the export trade of the Company to China has gradually declined since 1801. Here again we regret that he has not afforded us some clue to the authorities for his figures. The official accounts\* laid before Parliament this session and the last (we believe, upon the motion of Mr. Whitmore himself) contain the following statement of the East-India Company's exports from England to China :

Year ending 5th January 1824.....	£708,047
— 1825.....	612,139
— 1826.....	744,858
— 1827.....	852,030
— 1828.....	493,815
— 1829.....	863,494

That this statement, in which the last year is the largest of the series, shews a progressive decline, we may without much boldness deny ; but Mr. Whitmore, as usual, suppresses a fact very material for the proper understanding of the matter at issue. He has not even alluded to the Company's exports from India to China, which not only greatly enhance the aggregate amount of their exports, but explain an apparent falling off in any particular year. Thus the reader will doubtless be struck with the small amount of the exports in the year ending 5th January 1828 : in that very year, the Company shipped from India to China 158,000 bales of cotton, which must have been worth alone upwards of a million sterling !

In order to disprove the asserted difficulties and embarrassment of trading with the Chinese, Mr. Whitmore quoted Milburn, whom he described as "a person of deep research and great accuracy of information," as declaring that there was no country with which trade could be so easily carried on as China ! We have looked diligently through Milburn's valuable work without being able to discover any such passage, or any passage at all like this declaration, which would be, indeed, a curiosity, seeing that the author has, in several places, expatiated upon the peculiar difficulties which beset trade in China. He says† that "the commerce of Europeans with China has always been exposed to oppression and insult;" he speaks of the "grievances which Europeans suffered there," and of "the immense property at the mercy of the Chinese." We happen to know, from the late Mr. Milburn's own oral observations, that he could not have entertained the opinion ascribed to him ; and we have no doubt that Mr. Whitmore has read the passage he refers to in a pretended quotation from Milburn's work, in a letter from an American, which appeared in a London paper a few months back,‡ wherein the writer falsified the language of Milburn as successfully as the author of the Liverpool East-India Association's Report did that of Acts of Parliament. But why go to Milburn, when the fact is so clear ? We challenge Mr. Whitmore, or those who instruct him, to produce one credible witness to the fact he has stated ; and, in the absence of adverse proof, we invite them to read the edicts issued by the Chinese authorities upon every attempt to extend trade, or free it from burthensome regulations, and say whether they evince a desire to encourage foreign trade in China. The superior officers of the government can find no civiler epithet to apply to a foreign trader than *barbarian* ; they threaten merchants, who complain of being defrauded, with fetters ; they laugh at the idea of commerce being

\* Ordered by the House of Commons to be printed, 10th and 17th June 1828, and 28th April 1829.

† *Oriental Commerce*, vol. II. p. 470. •

‡ See an exposure of this fraud in our present volume, p. 6.

being a reciprocal benefit: the code of China is altogether anti-commercial. A recent *Canton Register* observes: "The spirit of the section respecting 'illicit exportation of merchandize,' is that all foreign nations are enemies to China; that she allows no free or friendly intercourse; that she wishes to keep her affairs a secret from foreigners; and that all who trade with foreigners, except such as are licensed by government, are traitors." Could any fact be more at variance with Mr. Whitmore's assertions, and more destructive of his theory, than that mentioned by Sir Charles Forbes, namely, that an individual had freighted a ship from India expressly to force a trade with the natives in other ports than Canton; that he not only failed to effect his object, but could not procure even provisions by barter, and was obliged to purchase them with hard dollars? What are we to think of such a specimen of misrepresentation, in such a place, and on so material a point?

But it is said, we pay so high for tea, in comparison with the continent of Europe and America, that we must be defrauded by the Company. Mr. Whitmore tells us, that about three millions sterling is taken out of the pockets of the people, in the single article of tea, to support the monopoly of the East-India Company. This part of the question affords scope for many misstatements. In the petition from the merchants, bankers, manufacturers, and other inhabitants of Glasgow,\* it is asserted that "the consequence of the Company's exclusive privileges has been, to enable the said Company for many years to dispose of tea at double the prices at which a *similar quality* can be had at any of the continental ports of Europe, or of the United States of America, whose subjects enjoy free intercourse with China, *independently altogether of the duties paid to Government.*" This audacious misstatement shows that petitioners to Parliament assume to themselves a perfect impunity of allegation. It is almost superfluous to enter into a serious refutation of an assertion, which would make teas cheaper in Europe and America than at Canton. Perhaps it might be a reliance upon this Glasgow petition which encouraged Mr. Hume to declare, that a free trade to China would enable the importers of tea to sell it cheaper than they bought it: how this result was to be compassed, or if it could be brought about, how the Legislature could adopt such an artificial or fraudulent transaction as a basis for its judgment and decisions, the sagacious administrator of the Greek loan omitted to state.

In order, however, to demonstrate the little regard paid to facts on the part of the anti-monopolists, we lay before our readers the following statement of the wholesale market prices of teas at New York, extracted from the last *New York Price Current*, dated April 22, 1820, viz.

	Prices (Including Duty).				Duty.	
	Dr.	C.	Dr.	C.	Dr.	C.
Gunpowder ..... per lb.	1	0 to 1	25		0	50
Hyson .....	0	80	— 1	10	0	40
Young Hyson .....	0	73	— 1	10	0	40
Hyson Skin .....	0	48	— 0	75	0	28
Souchong .....	0	52	— 0	75	0	25
Bohea .....	0	27	— 0	28	0	12

Now, converting these prices into sterling, at the sterling rate of value of the American dollar, namely, 4s. 6d., and comparing them with the English prices of tea (in bond) as given in the *London Price-Currents*, the result is as follows:

Gun-

	Average American Prices.			Average London Prices.	
	s.	d.		s.	d.
Gunpowder ..... per lb.	5	0½	—	5	1
Hyson .....	4	3	—	4	9
Young Hyson .....	4	1½	—	4	0
Hyson Skin .....	2	9½	—	2	7½
Souchong (and Congou*).....	2	10½	—	2	10½
Bohea.....	1	2½	—	1	9½

It thus appears that, taking the qualities of the teas to be the same, which is notoriously not the fact, out of the six sorts (all that are enumerated in the American list, except what is called imperial tea, which is not named in the London list), two are lower in the London than in the American list, and in two the difference is only a farthing a pound. Yet the merchants, bankers, manufacturers, and inhabitants of Glasgow, tell the Parliament of England that the Americans sell teas in their own country and on the continent of Europe at half the prices at which the Company dispose of theirs, "*independently altogether of the duties paid to Government*:" that is, according to the obvious interpretation of the language, the American and continental consumer of tea pays only half the price at which the Company sell their teas in bond.

But if the qualities of the two teas could be compared, the result would be still more discomfiting to these petitioners. Although it is impracticable to procure any decisive data for this purpose, we can at least approximate to a comparison of qualities, by means of a table given in a late *Canton Register* from an American *Price Current*,† of the prices of tea at New York, and at the respective ports of Halifax, Quebec, and Montreal, in British America, which is supplied by the East-India Company with teas of similar qualities to those imported into the United States. The table is as follows:

	Prices at New York, 26 May 1827.					Prices at Halifax, 18 June 1827.					Prices at Quebec, 5 May 1827.					Prices at Montreal, 19 May 1827.				
	s.	d.	s.	d.		s.	d.	s.	d.		s.	d.	s.	d.		s.	d.	s.	d.	
Hyson .....per lb.	4	6	to	6	2	4	0½	to	4	3½	4	6½	to	4	7½	4	7½	to	4	8½
Young Hyson .....	3	11½	—	4	10½	2	0½	—	2	7½	3	11½	—	4	2½	4	10½	—	5	0
Hyson Skin .....	2	3	—	3	0	2	5½	—	3	4½	2	4½	—	—	—	2	5½	—	2	6½
Souchong .....	2	4½	—	3	0	2	3	—	—	—	2	3	—	3	1½	2	3½	—	2	11
Twankay .....	3	1½	—	3	3½	—	—	—	—	—	2	7½	—	2	8½	2	7½	—	2	9½

This table shews two very important facts; first, that the East-India Company could furnish those sorts of cheap tea, which the Americans buy, at lower prices; and secondly, that the qualities of tea differ so materially, that to compare *prices* without reference to *qualities* is absurd.

Mr. Whitmore then proceeds to aver, that the charter of 1813 placed this country in a worse situation with regard to tea than it stood in previously, by the abandonment of a control which the Treasury possessed under the antecedent law of allowing the importation of tea by private persons, if the East-India Company did not keep the English market supplied with the commodity in sufficient quantity, and at prices sufficiently low. This averment Mr. Whitmore has doubtless adopted from the report of the Liverpool East-India Association. That the whole is a deception (we have no doubt deliberately planned), in which the language of the statutes has been falsified, we have shewn in a former Journal, to which the reader is referred.‡ Mr. Whitmore says, as the reporter

\* The American souchong is nearly all congou: our London average takes in both.

† See p. 246.

‡ Vol. xxvi. pp. 5 and 7.

reporter said before him, that the law (i.e. the Commutation Act) made it obligatory upon the Company to supply the country with a certain quantity of tea at a certain price, otherwise an authority was to be given to private merchants to import the same. The Commutation Act says: "The East-India Company shall, from time to time, send orders for the purchase of such quantities of tea as, being added to the stock in their warehouses, and to the quantities ordered and not arrived, shall amount to a sufficient supply for the keeping a stock at least equal to one year's consumption, *according to the sales of the last preceding year*, always beforehand." This regulation they invariably comply with; and the candid reader must at once perceive that the loss of interest upon this immense sum of stagnant capital, is of itself a severe tax upon the Company.\* The authority given by a preceding statute to the Treasury, to allow individuals to import tea from *Europe only*, was devised to obviate a temporary evil, arising from the existing system of smuggling through the medium of the Danish and Swedish Companies, the chief part of whose imports, to the computed amount of about *eight millions of pounds*, was clandestinely introduced into this country, to the prejudice of the revenue. When the duty on tea was reduced, this authority was vested in the Treasury, in order that a legal mode might be provided of introducing into this country the mass of tea collected on the continent for the irregular supply of the English market. With respect to the phrase "reasonable prices," at which the Company were bound to supply the tea, the sense of the phrase is ascertained by the law itself, which specifies the exact prices at which the different sorts of tea are to be put up to sale; the only departure from which by the East-India Company has been the *reducing* the advance on some of the qualities. They have therefore strictly complied with the law in respect to the quantity they are required to import, and the prices at which the tea shall be offered: unless it be contended that the Company are bound by law to calculate the quantity of tea which each individual in the empire could consume, according to the latest census, and to import to that extent; and that they are prohibited from taking any bidding at their sales beyond a certain mark, which, we apprehend, would occasion some detriment to the public revenue.

We shall only remark further on Mr. Whitmore's speech, that he has treated the question entirely as one of a commercial character, not looking to the East-India Company as a peculiar engine for the government of a mighty territory. It is not fair thus to disjoin their two characters and functions; for whatsoever opinion may be entertained of the commercial policy of the Company, as rulers of India they stand in the fairest light. Mr. Whitmore thought proper not to weaken his invective by any compliment to the existing Government of India; but there was scarcely another opponent of the Company, on that occasion, who displayed so much stoicism. Mr. Baring prognosticated, that when the question should fairly come before that house and the country, full justice would be done to their liberal and enlightened system of administration, which would, he observed, bear a comparison with that of any other government; and Sir Charles Forbes remarked, that it was a matter of congratulation to the natives of India, that they were under the Company's government rather than the King's.

Whilst we are upon this point, we may notice the confusion which seems to prevail with regard to the object which is sought by the antagonists of the Company. We confess that we have generally understood the object of those

*Asiatic Journ.* Vol. 27. No. 162. 4 X who

\* Mr. Hunkinson was so ill-informed as to make this compliance with the law a matter of charge against the Company. See Debate on the 19th May.



who seek to prevail upon the Legislature to refuse the renewal of the Company's charter, to be this, namely, that they should be divested of all their present power and authority, save the right of trading as a corporation, of which they cannot be deprived. The immediate possession and the government of the British territories in India constitute the most important ingredient in that complex idea which is expressed by the phrase "chartered rights of the Company." But it seems that we have greatly misconceived this part of the subject. A powerful writer in one of our journals, which has great weight upon public opinion, and which it is, therefore, painful to see so easily influenced by party writers, whose fabrications are mistaken for truth, has made the following declaration. After having, on many former occasions, argued, apparently at least, in favour of the total abrogation of the East-India Company, not merely in its commercial but in its political character, the same writer lately promulgated the following sentiments:\*

It is a mistake, whether real or pretended, in the advocates for a continuance of the East-India monopoly, to assume that the great towns of England, and the merchants generally, have any desire to wrest from the Company the sovereignty of its empire in the East. Upon the face of the subject, we believe that most prudent men would agree in the probable danger to the independence of Parliament which might threaten us, were the patronage of India, civil, military, and mixed, to be transferred from the Company to the King's ministers. As against the country, we should, with our present opinions, consider such a change not a little perilous, whatever might be its consequences as a question, like that of Mr. Fox's India Bill, between the minister and the Crown itself. The dissatisfaction, however, at the operation of the existing charter, has a totally different origin. The deputies from Liverpool, Bristol, Glasgow, Leeds, Calcutta, &c. &c., have never broached an inquiry, or expressed a wish, in relation to the political government of India. Their sole purpose is to break up the commercial monopoly, and to enjoy a free and wholesome trade, as well with the Company's—or rather, constitutionally speaking, King's—dominions there, as with those of the Emperor of China, from which they are, by a monstrous intrusion of monopolizing jealousy and cupidity, interdicted; while the citizens of the United States, and the subjects of every power on earth, save England, have an unshackled privilege of visiting Canton as merchants; and many of them have for years carried on a prosperous and growing commerce.

Indeed! Have none of the great towns expressed a wish in relation to the political government of India? What, then, is meant by the language we have quoted from the Bristol petition, that "the beneficial measures introduced by his Majesty's government form a striking contrast with the timid, vacillating, and tortuous policy of the East-India Company;" and that "long and calamitous experience has proved the incompetence of the Company to conduct their commercial, provincial, or territorial affairs, with advantage to themselves, to our Eastern empire, and to this kingdom?" What is meant by those who represent that the abrogation of the Company's charter would tend to diffuse Christianity, knowledge, liberal principles, &c. throughout India? The plain meaning is, that the Company's authority should be superseded by the King's, and it is in that sense understood by those members of parliament who contrast the King's colonial governments with the Company's. Nay, we cannot reconcile the sentiments expressed in reference to this question by the same writer, only the day preceding,\* with a desire to see the government of India continue in the same hands as at present. He speaks of barbarism in the political system of our government, in affording

\* *The Times*, May 16.

† *Ibid.*, May 15.

tection to the Company; he asserts that the regions, vulgarly called the Company's, are falsely so called, since they belong specifically to the King; that the Company exercised despotic power over one hundred millions of Hindoos and Mahomedans, whose independence they have crushed; that the native race is impoverished by the system of severe exaction which constitutes the elements of the Company's revenue; and that "there is no hope of amelioration for that wretched people but from the infusion of some better materials into the country than those which have been progressively declining in value and capability under the present management."

We flatter ourselves that we do not lay open to the suspicion of having committed a wilful mistake, when we inferred from these and numberless other assertions of a similar kind, that the total extinction of the Company was sought for. Now, however, it appears that, incompetent as are the Company as a governing power, wretched as is the condition of the Hindus under their despotic rule, it is a mistake to suppose that there is any wish to wrest from them their empire in the East!

We are then to conclude that the objects of the anti-monopolists and pseudo-philanthropists of this country are only to divest the Company of their commercial character, and to leave them to sustain the burthen of governing India, without the ability to draw a sufficient revenue from it for the purposes of government; cramped in their power of originating good, threatened with dangers of various kinds by the intrusion of strangers of all countries and with any object; subject to all the odium attending public measures, which will be prejudged to their disadvantage by the existing presumption of their incompetence to govern; and saddled with all the responsibility and expense of maintaining a system of complicated relations, more extensive and difficult than ever fell to the lot of any government. This would be only an insidious method of working their total overthrow.

We must, however, hasten to a close: it is merely asked, on the part of "the corporate body to whom England owes almost entirely the splendid acquisition of its Indian territories,"\* that the question, which involves their existence, as well as the interests of Britain and Hindostan, should not be decided by passion and party rancour, but after mature inquiry and patient deliberation. Rash experimentalists, seeking their own individual ends, may undervalue the consequences of precipitancy; but when reflecting men consider that the system which is sought to be overturned has, by the solemn judgment of a parliamentary committee, been commended in strong terms, as shewing an anxiety to promote the confidence and conciliate the feelings of the natives of India, by shielding every class under the safeguard of equal law;† when they recollect that Mr. Pitt‡ declared that experience had demonstrated, in the case of the East-India Company, the fallacy of the theory that commercial bodies could not govern empires; that Mr. Canning§ said of their administration, that it had disproved the common adage, that little wisdom was required for governing mankind; that Lord Castlereagh|| stated, that the Company had raised and preserved an empire unprecedented in the history of the world, and that there never was a milder government, nor one by which the happiness of a people was more consulted; that Mr. Peel has spoken, recently,¶ of India

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\* Judgment of Sir C. Grey, Chief Justice of the King's Court at Calcutta, given in our present number, and which may be profitably read with reference to a certain judicial dispute at Bombay.

† Fifth Report, 1812.

‡ Speech in the House of Commons, 6th July 1784.

§ See *Asiat. Journ.*, vol. xxiv. p. 137.

|| Speech in the House of Commons, 22 March 1813.

¶ See p. 118.

as an empire which has been raised to the highest pitch of honour and glory by conquest and good government, and where the fate of its inhabitants has been so much advanced; they will surely pause. They will bear in mind, too, that the late Lord Melville (and no statesman was ever better informed upon Indian topics) has left upon record his opinion as follows:

"The monopoly of the East-India Company is essentially requisite for the security of every important interest connected with our Indian empire; and so deeply am I impressed with the truth of that proposition, that I am prepared explicitly to declare that, although the first formation of an East-India Company proceeded upon purely commercial considerations, the magnitude and importance to which the East-India Company has progressively advanced is now so interwoven with the political interests of the empire, as to create upon my mind a firm conviction, that the maintenance of the monopoly of the East-India Company is even more important to the political interests of the state, than it is to the commercial interests of the East-India Company."\*

\* Supp. to Fourth Report, p. 30.

## FURTHER COMMOTIONS IN THE CHINESE EMPIRE.

(From a Correspondent in China.)

*Peking*, reign of Taou-kwang, 8th year, 8th moon, 30th day.

THE gazette of this morning confirms the report, which has been prevalent for some days past, of a dangerous rebellion being in progress, till detected, on the southern frontier of the empire. Governor Yuen, late of Canton province, who went from thence to Yun-nan during the Birman war, in order to look after the European foreigners, who, it was announced to the court, were making inroads in that quarter, has reported to the great emperor the detection, trial, and immediate punishment of certain persons, who had gone so far as to engrave an imperial seal, and issue manifestos to the people, calling upon them to rise in rebellion against the celestial empire.

The rebel chief is named Chaou-ying-lung. He, cautiously enough, has kept beyond the frontier, and taken up his present residence in Cochin China: but he had confederates within the frontier. A leading character amongst them was Le-yang-chuen. This man having entered into the plot, a kinsman of his, named Le-tsung-tang, gave information to the government; and Le-yang-chuen was surprised, taken, tried, condemned, and cut to pieces by a gradual and shameful process. A few others were beheaded, and their heads paraded about, with a view of terrifying and striking awe into the multitude. The informer has been rewarded, and orders have been issued to exert every nerve to obtain possession of the rebel chief, Chaou-ying-lung.

These people in the south, when they commenced their revolt, had not probably heard of the fate of Changkihur in the north; but the popular rumour is, that in all the *eighteen provinces*, the Yun-nan rebels have adherents, in large numbers—they say, "hundreds of thousands." However that may be, there does appear a "shaking" in the empire at this moment. It may, nevertheless, settle down again into tranquillity; and it is our belief (in China), that animated nature had better be a dog in times of peace and plenty, than a human being in the midst of revolution and anarchy.

## ANGLO-INDIAN MANNERS.

SKETCHES of English manners at remote dependencies of the empire, especially where, as in India, climate, and the insensible adoption of the habits of the country impart adventitious traits to the character of Englishmen, furnish a very agreeable and not uninstructional source of amusement at home. The reader, who has never been in the East, is pleased with such pictures for their novelty; the old Indian prizes them, on the contrary, for their familiarity. The former delights to pass the descriptions before his view, as he does those of a work of pure imagination; the latter loves to renew his association with scenes and notions which, whatever may have been the impression they made upon him on the spot, become, as it were, like tints mellowed by time and distance, and gratefully contrast with the harsher hues of reality about him.

It is to be regretted that we have so few of these lively descriptions of "Life as it is" in India. Ably-delineated pictures of Anglo-Indian manners, communicated in the convenient vehicle of a well-constructed tale, such, for example, as *Hajji Baba*, which so accurately pourtrays the manners of Persia, would tend materially to lessen the hitherto unconquerable repugnance of the public taste to oriental topics. A work of this nature we have just seen,\* which exhibits some lively and agreeable pictures of society among the various classes of Englishmen resident in the East. The work is of a miscellaneous character, consisting of tales, poetry, characters, &c., connected loosely together by a narrative of the author's supposed history, from his arrival in India, at the close of the last century, till his return to England, on receiving a hint from the *cholera morbus*.

He began his career as a lover; the deep blue eyes of a certain Lucinda captivated his soul; he breathed his passion, and was told he must have made a mistake. His disappointment made him first a misanthrope; he was invited to join a *Juwab club* (of rejected suitors); he forswore beef, and became almost a convert to Hindooism. From this fit of abstraction he was rescued by witnessing a hurricane on the Ganges, when a pinnacle was exposed to the danger of being engulfed in the rapid stream; but by the *Bengalee's* assistance she was secured, with her passengers, one of whom, as might be expected, was the identical blue-eyed damsel, now a wife and a mother. Such is the author's history.

In the course of his peregrinations in the Mofussil, he gives some pleasant delineations of character. That of an indigo-planter, who had formerly been a midshipman in a Company's ship, is amusing and natural.

It is necessary to inform my readers, that my new companion, Mr. Neilman, had adopted, in his phraseology, a most happy, or, at all events, a most unceasing admixture of Hindoostanee aids and expletives. Half his native English had now given way to bad Hindoostanee. Thus he never dines, only *khana-khats*; he never touches wine, it is all *shraub* with him, or rather *beer-shraub*, his only beverage. When he inspects his indigo-fields, he takes a *dek* at the plant, or *chuls* over the *kates*: he calls Alport his old *doot*; and conversing with his good lady, a little *bat-cheet* with the *beebee sahib*! Without premising this, it would be difficult to follow Mr. Neilman through his present Eurasian, or Anglo-asiatic illustrations in conversation.

Mr. Neilman was giving me the history of his indigo affairs, but paused to assure me that he was *burra khoosce* that the Judge sahib had been *juwabed* by the young pointer at the Doctor's. "Lord, sir!" he exclaimed, "he gives more *deek* to the poor *leil-*

\* The Bengalee; or Sketches of Society and Manners in the East. London, 1829, 8vo.

*leilwalas* of the district than half the *zillah* courts of the country. Some folks say he is fond of *goose*, but I think it's all regular *sad* with him. It was but last season I cut my plant at some *ruyats* of mine near Leilpore: it was all ready to bring in, when up came a gang of *loot-wallas* belonging to a *cala-feringe*, a low Portuguese chap in my neighbourhood; and *lattees* in hand, they *chull'd* off with the whole of it! Well, sir, that bit of *zaburdust* work would'n't do for me; so I sent in a *durcast* to the Judge, brought a civil suit against the fellow; lugged him also into the Foujdaree Court for a *mar-poot* affair; and, just as every thing was *mokuddumah'd*, and my *vakeel* announced the *diagreee* in my favour, in walks my *feringe* friend with a host of *jootah-gowahs*, and I got my *rookut* in grand style. I only wish I had the judge in one of my indigo vats! I'd give a tinge of blue to his biliousness, I'd warrant him."

The next subjects of Mr. Neilman's angry complainings, were the Calcutta agents, of whom, by his own shewing however, he had as little right to complain as most men; "but he had got to the right side of these gentry, thank God!—Last May's account gave himself and his works all clear, and he'd make a new sort of *bunderbust* for the future! Why, the year before last," continued he, "they sold my blue at *arrye-sou rupeeek* the maund; and I was offered elsewhere nearly *puanee teen* for it all round, dust and broken, musters and all! But, never mind, my good fellow," he continued, "I've enough yet to give a bottle of prime *beer-shranb*, with a spare *hookah*, a *howdah*, and a sporting *hathee* for a friend at my factory; and when you return to Sahibpore, the old Doctor sahib and you shall have a few days' *shikar* of it."

The author has drawn a picture of "Life in India," in the various classes of the civil and military servants of the Company and the new adventurer.

So far as rank and consequence are concerned, the first of these holds out the great prizes of the Honourable Company, and is the great object of ambition. These prizes are necessarily limited to a few lucky sons of fortune; and they are, therefore, the higher esteemed. With a writership in his pocket, the child of the first man in England, even at this day, fancies his fortune made; looks to a short and merry "Life in India;"—a long and wealthy one in England. Out he comes, always what I should call a genteel-looking boy;—somewhat slightly built in general, for encountering any of the rude blasts of the world, and having a goodly smattering of his mother's drawing-room hanging about him. His manners—I speak of the general race of young writers—always please me: there is something very English about him, by which I do not mean very rough, but a happy mixture of that independence of mind, and amenity of manners, which constitute the true English character. When these embryo rulers are collected together, before merging from the buildings, there is, no doubt, to be seen also not a few of an Englishman's peculiar faults and weaknesses; but these are such *rara aves* over the services in general, that there is nothing I enjoy more than an evening in the buildings.—"Life in India" is then, with my old recollections and feelings, something like to what I remember was—life in England. There are good manners, and honourable and high feeling;—articles, however, which, I must warn their young possessors, require the utmost care to preserve in this climate, and which are always best just on importation. It may appear finical, when I add, that there is an English way of putting on his clothes about a young writer, before he is launched to rusticate in the Mofussil, which I like; as in the company of a dozen of these dandies, I am reminded of the respect, in this particular, which I once—once, alas!—paid myself to the article of dress, when I was glad at the idea of pleasing a mother, a sister, or a still dearer creature—a sweetheart. In short, the only scene in the drama of "Life in India," that is like Old England, is to be found in the Buildings. Once out of them—once banished to a country station, where Englishmen are scattered some hundred miles distant from each other, or where, if they congregate, it is on the artificial graduated scale of judge, magistrate, collector, register, assistant ditto, doctor—and all that is English is found on the wane. By the time the writer comes back to the presidency a judge, or something as great or greater, he has been converted into the most anomalous of all human beings. There is still something English about him,

it is true; he is generally proud enough; but it is an Asiatic, not a European bearing of consequence. He seems to expect that all that are in his way should hurry out of it, that the path may be left for him alone. He has been so long accustomed to measure his own humanity by the standard of a conquered and degraded race around him, that he fancies he has risen proportionably above every other class of mankind, with whom he may afterwards chance to come in contact, as above his *omlahs* and his *chobedars*; and his own countrymen are but *Hindoos* in his estimation, however much they may transcend him in every thing like intelligence, honour, and common sense.

Let me, however, take a view of military "Life in India;"—a fair-haired young lad has escaped from school, and its confinement, at the early age of sixteen; and, after the annoyances of a four months' voyage, has reported himself at the Town Major's Office in Fort William. He puts on his scarlet uniform, and looks round, on passing every sentry, for homage and salutation to his new military character. The first few weeks are but a series of disappointed hopes, and comfortless, pleasureless, attempts at Indian enjoyment. He makes himself sick, in essaying to smoke a bad hookah, and then barely survives a pukka fever, in having tried his new double-barrelled gun, which he bought on credit, at an exorbitant sum, and with which he toiled for hours under a burning sun, in the vain hope of hitting a few snipets or sandlarks. He has a relation, perhaps, in the Buildings, and madly attempts to rival him in extravagance: and though the soldier's means do not go beyond a second-hand buggy for his driving, and an undersized and stud galloway for the saddle, yet his humble endeavours have plunged him into debts, which hang upon his Indian career for years, and make him miserable for ever!

He joins his corps—he has become a man now—wanders about in the morning without his cravat or jacket—smokes cheroots by whole bundles—drinks brandy-paunee, curses his own folly for more faults than one, and lingers through the early and best years of his manhood in tasteless dislike of the little regimental duty that falls to his share, and in gloomy despondency amidst the blighted prospects of his youth. From his brothers and young relations in Europe he seldom hears, and their letters would be but wormwood to him. They have toils there, it is true: one is at College, another at a desk in a merchant's office, a few are fagging for professions, or existing on subaltern's fare in country quarters:—but are they not at home?—aye, and in that one word—home, lies all the earthly happiness which an exiled soldier sighs for, and hourly pines in vain.

But he has outlived his brethren in the subaltern ranks around him; has followed hosts upon hosts to the scattered tombs of our up-country cantonments: he is a field-officer now, and with the attainment of higher rank before him. What boots the rank or increasing pay? He is a martyr to a broken constitution, and his yellow and wasted cheek, the sunken and gleamless eye, give token not only of withered health, but accumulating care! He is alone in the world; his native country has long ceased to hold out charms for him; he is unknown there, and the circle of his friends have either ceased to exist, or care not for the expatriated soldier in the East! Is this a gloomy picture? The Bengalee could point out many who might sit for it, and who, ere they give their bones to moulder beneath the sun of Hindoostan, would feelingly bear testimony to the truth of its description—yet this is "Life in India!"

But the adventurer, he surely is exempt from the evil. His sojourn in India is brief, luxurious, and profitable. He transacts the business of the day with the punkah waving its cool breath unceasingly above his desk. He drives home from office luxuriously in his open chariot, and quaffs his iced claret, with his gay friends ever assembled around his evening table. These are his daily enjoyments: but in the glad hour of holiday release from the office, he sails away in some tall pinnacle to the far retreats of Chinsurah and Hooghly. But, alas! his pleasure becomes tasteless and unblest; his eye has rested upon Serampore by the way, and he knows not how soon it may be his scene of refuge, and the dull close of his ruined adventures. He tries to remember how many of his brethren have retired to enjoy their thousands in their own country—he can soon reckon over the scanty few; and then he dwells upon the outstretched

list of the disappointed, the deceased, or the bankrupt, still within the East; the number appeals him!—and this is “Life in India!”

The author has drawn a sketch of the history and character of Lord Hastings; and he relates an anecdote of that amiable nobleman's behaviour towards a subaltern officer, (perhaps himself) in relation to a literary production, which though unimportant, shows the minute attention which the Marquis paid to the feelings and objects of all within the sphere of his knowledge.

There is an amusing story of an incident which happened to a young officer, of a romantic and oriental turn of fancy, who was smitten with a passion for a Mahratta princess. He had been applied to by Simuckjee, the minister of Omrut Rao, for some bark, as the princess was ill. The young officer endeavoured to procure access to the princess, under pretence of superintending the application of the remedy; but his artifice was met by more subtle craft on the part of the wily native.

“May I not see my patient?” abruptly, and at once said Amorett.

“See the princess!” half-screamed the minister, his eyebrows, in their utter astonishment and upraised wonderment, almost touching the very rim of his prim Mahrattah turban.

“Yes, and why that astonishment? I would not venture such a proposition to a dark and ignorant inhabitant of our provinces; but have not the Mahrattahs discarded such profanation to all that is wise and delicate to their wives and daughters? Surely, thy countrymen seclude not their females like the blind, grovelling sons of Brahma or the Prophet? Nay, doth thy prince wish the betrothed of his son to die lingeringly before him, with the simple means of remedy and proffered health within his reach?”

The young soldier here felt his heart smite him for a moment. The picture of the perhaps really suffering girl passed before him, and the mummery of his present manner and purpose seemed almost sacrilegious. But the minister gave him little time for reflection: for he hastily retired, as if fearful to prolong so delicate a conference; and the lieutenant was left to his meditations, and to issue orders for the ensuing day's continuance of their march, together with the necessary arrangements preparatory to crossing the Jumna.

Scarcely was our hero seated the next morning at his breakfast table, with his hookah, after seeing the motley assemblage of Mahrattahs and others safely across the river, ere the minister was once more announced: when, with a secret smile playing over his diminutive, but deeply marked features, he frankly stated, that having communicated the conversation of the preceding evening to the Maharajah, his highness at once, without the slightest hesitation, had ordered that the English gentleman should be admitted to the presence of his daughter-in-law. Whether he judged as a father, or as a Mahrattah, whose intercourse with Europeans had freed him of some of the darker prejudices of the East, cannot now be determined, but certain it is, that not a shadow of objection to the visit seemed to come across his mind; nor did he affect even to notice the repugnance of the minister to introduce the subject: noon was fixed upon as the hour for introducing our hero, in his new capacity of physician, to the lovely betrothed; and never was poor mortal, under any circumstance of trembling excitement, more nervously affected than Amorett was, on the sudden prospect of the realization of all his day-dreaming fancies, and in thus being permitted to approach and behold the living, real, most lovely person of an eastern princess!

There were yet nearly two hours before the time appointed, and, as he paced up and down his tent, every moment seemed an age to him. Some young Mahrattahs came before the awning of his tent-door, with their active and beautifully managed Dohanee horses to attract his attention, in there practising their wonted evolutions and amusements. They went through the usual manoeuvres at full speed, in an incredibly small space, and almost among the very ropes used for pitching his tent; sometimes alternately

pursuing and retreating from each other, or abruptly turning on their opponents with the rapidity of lightning, the others as quickly and gracefully darting off from the assailants. Again in mazes, performing a figure similar to our numerical sign of eight, and then reining short up, at a word, making their obedient horses curvet, plunge, and bound, with all the seeming activity of an antelope. But all these feats were to-day played off in vain. Amorett saw them not: he was thinking only of the approaching visit; and of all that he pictured to be awaiting him in the zenamah tent of the Maharajah.

The minister, Simuckjee, was punctual in his attendance; and, with a beating heart, our hero followed him towards that part of the encampment, which was divided off for the females of Omrut Rao's family. From the outside—for there was a wall of canvas, or common *konauts*, as they term them, encircling the whole—their daily residence appeared to be composed of several small tents, connected with, and adjoining a larger one in the centre. A shaumeaneh, or broad extended awning, with its usual red border, was stretched in front of the larger tent, and formed a sheltering and secluded retirement for the ladies of the family. After passing some matchlock-men at the entrance, our two visitors entered the outer wall, and the minister here pausing, made over his companion to two ancient female attendants, who were appointed to receive him. His tottering and palsied conductresses led him silently through a screened avenue, formed by some upright *konauts*, and, on reaching its end, desired him to wait for a few moments, while one of them went forward to ascertain if all was in readiness for the admission of the stranger. At this juncture, the beating of his heart could distinctly be heard in the still silence of the zenamah tents, and the seclusion of the curtained walls around him. Like many other wished-for enjoyments or opportunities, when within reach and attainment, his present situation seemed painful even to distress; and he almost wished himself any where, rather than in his present trembling predicament.

At length the old woman re-appeared, and slowly and ceremoniously conducted the Englishman to the inner tent itself. The *cheek*, or bamboo screen of the doorway, was raised, and, entering, he found himself in the presence of the princess. She seemed to be scarcely emerging from childhood, but was decidedly beautiful—fairer even than an Asiatic could be supposed to be, and with an air of command and dignity which our hero had little anticipated so young a girl being in possession of. She was seated in the eastern manner on a chair, that is, she was entirely upon its seat: one of her feet being thrown easily, and not inelegantly, under the other, the knee of the latter being raised, gracefully enough, for such a position, to the level of her waist. A rich silver-worked Benares veil, or *doputtah*, of delicate and most beautiful manufacture, surrounded her head and person generally, though still betraying, through its texture, the contour of her lovely and gentle form, as well as her entire features, which were not a little improved by her large dark—yet, from her late indisposition—softened and languishing eyes. She exhibited few signs of being ill, though, perhaps, the faint flushing of her cheek, which was occasioned by it, rather added to, than detracted from, her general loveliness. Amorett stood silent and abashed near the entrance, nor was he summoned to his recollection until her Highness, turning round, directed towards him a careless and indifferent glance of mere observation, and made some remark to her women in the Mahratta tongue, on the strange looks and appearance of the white-haired foreigner. Collecting himself, he approached her, and, with much show of ceremony, taking a chair near her (which, by the bye, they little thought of offering to him) he commenced a conversation by endeavouring to stammer forth some set inquiry as to her health. She simply replied by staring at him; and, on his affecting to take her hand, to feel its pulse, she at first withheld it, as in dislike of the liberty, or as objecting to be touched by him; and when, at last, she gave it with sovereign unconcern, she looked first at him, and then towards her suite, as if in cold wonderment of the scene before her. In vain he attempted, with studied gentleness, to make inquiry regarding her late indisposition; she understood him not; and at length glancing carelessly, almost contemptuously, over his whole person, she desired one of her attendants



dants to motion him to withdraw, as if perfectly satisfied with the exhibition of the stranger; in fact, adding, in a few plain words, that she had seen him long enough. It was now time for our poor astounded and mortified hero to look his astonishment: he rose up and commenced to bow and explain his utter surprise, but she coldly made signal with her hand, of her permission for him to "retire from the presence;" and then, turning round, commenced a conversation, possibly regarding his appearance, with the servants and suite around her.

The fact became too humiliatingly apparent: he had been introduced to the Princess as a sight, as something to look at, and amuse her in her indisposition! In serious truth, the whole circumstance was simply this. When Omrut Rao signified his permission for the English officer to be admitted, agreeably to his request, her Highness's people and immediate suite, deeming it an indignity to their mistress, had brought about such admittance by asking the young betrothed, if she would not graciously please to look at a "*Ghora admee*," literally a *white man*! Thus the romantic, the impassioned, the poetic, the love-breathing Amorett had been walked into the zenamah, as a led bear, or tame monkey, for the honourable amusement and mere gratification of curiosity of a young simple Mahratta girl, of some thirteen or fourteen years of age!

The specimens of poetry in the volume are numerous; we select one, supposed to be written by the Lieut. Amorett just mentioned, under the feelings inspired by the dark eyes of a nautch-girl.

#### EASTERN BEAUTY.

There may be bosoms, that will not confess  
The East's fond claim to loveliness;  
There may be bosoms, that shall lightly hail  
Such beauty,—hallow'd but in minstrel tale:  
These,—'midst the fairer visions of the West,  
Where love beams lustre from a snowy vest,  
But little deem our sun can lavish charms  
O'er flowers,—where tints but deepen as it warms;  
But there is beauty—Oh! who durst deny  
The speaking magic of the deep dark eye?—  
Of the veil'd look,—that, stealing to the soul,  
Breathes—unassuming there,—a soft control?  
That will not seek your glance,—but, as it meets,  
Lingers awhile in love,—nor yet retreats,  
Ere its too dangerous sleepiness of gleam  
Instil the lull,—the languor of a dream;  
A form half-bow'd—receding from the view,  
Or mark'd beneath the veil's scarce shadowy hue,  
Where, seeming lovelier in their soften'd grace,  
Beam forth the features of a Houri face;  
A little hand—that trembles to the touch,  
To tell fond thoughts—yet shrinks to find them such;  
A dove-like bosom, where a mimic load  
Of swelling ripeness rears its twin abode,  
Breathing young sighs of tenderness, as pure  
As ever love from innocence could lure;  
All this is beauty—oh, the charm it gives,  
Too warmly wakes to life, too wildly lives!

Those of our readers, who love a secret, will thank us for whispering that this amusing volume is (chiefly at least) the production of Capt. H. B. Henderson, of the Bengal army.

## THE ARCHIMANDRITE HYACINTH'S PLAN OF PEKING.

*To the Editor of the Asiatic Journal.*

SIR: In announcing in your excellent Journal my work on Mongolia and my Plan of Peking (p. 641), I find you have given credit to an opinion of an anonymous member of the Geographical Society of Paris, who is pleased to maintain that, save a few slight changes, my plan is a copy of a similar plan of Father Gaubil. I have declared some time ago, in a French Journal published at St. Petersburg, that the writer of the above article, not having seen my plan, could have founded his opinion only on mere conjecture; but as my refutation probably has not reached you, I request leave to assure you, for the information of those whose sense of justice will be hurt at an accusation void of all proof, that I was, till my return from Peking, ignorant of Father Gaubil's plan, and had no idea of its existence till I met it in Mr. Timokofsky's Travels. Although this plan in some respects is similar to that published by me, it must be confessed, it differs very widely from it. There is certainly some resemblance in the tracing of the walls, and the disposition of the eight principal streets, with the situation of the most remarkable places, both within and without the city, for the details of which he refers to verbal information; on my plan, on the contrary, not only the principal streets, but every one of them, either wide or narrow, are represented without the least omission, and, as to their locality, with the most scrupulous exactness.

I shall not enter at present into any more details, but I am convinced that every impartial judge, in comparing the two plans, will do me the justice to acknowledge that my plan is not a copy of Father Gaubil's plan.

I have the honour to be, &c.

FATHER HYACINTH,

*St. Petersburg, April (16) 28, 1829. Author of the New Plan of Peking.*

Father Hyacinth has the honour to transmit to the Editor a translation of the Preface to his work, and which will be published very soon.

THE TRANSLATOR'S PREFACE.

Every body will doubtless be pleased to see the plan of the capital of China, so much celebrated in the relations and descriptions of travellers. It is with this idea, that during a residence of fourteen years at Peking, I have bestowed all my attention on the most remarkable objects which this capital contains, and have undertaken to make the plan of it, accompanied by a description. I can assure the public, that this plan is not one of the number of those with which the warehouses of Peking abound; but has been so recently drawn as the year 1817, and revised with all possible care. The person, who undertook to ascertain the situations of the different places, was occupied a whole year in giving to this plan all the accuracy and perfection which could be desired. For this purpose, it was necessary to make a survey even of the smallest streets and lanes of that immense city, in order to be able to represent correctly upon the plan the most minute particulars, and to form them into a whole.

The description of the city, which accompanies the plan, is not my own work. The testimony of an inhabitant (or native) of the country deserves indisputably much more credit than that of a foreigner. The long residence I have made at Peking, during which I have been able to examine every thing with my own eyes, has put it in my power to give every necessary correctness to my translation; and by the assistance of my own observations, I have been enabled to clear up many obscure passages in the original.

This description is the translation of a Chinese work published in 1788. The author, who was writing for the information of his countrymen, followed of course an arrange-  
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ment suitable to his design ; therefore he did not think it requisite to explain certain things, which on account of their novelty are but little known to a foreigner, whilst he pleased himself with examining the antiquities, entering into the most minute details, comprehending in his account a multitude of objects which could be nowise interesting to us. For this reason, I have thought it proper to add, in the introduction, some indispensable explanations, in order to complete the curious information respecting this capital, excluding from the description those minute details, which are totally devoid of interest to a foreigner who has never been at Peking.

In this city are reckoned about seven hundred convents or temples. The number of palaces inhabited by princes, the tribunals or courts of justice, and other edifices belonging to the crown, are likewise very considerable. Had I wished to include in the narrow limits of my plan, every thing described in the original, the diversity of objects would have only served to tire the reader ; whilst at the same time, it would have taken off his attention from things truly worthy of observation, and which are more entitled to find a place in it. It is only in the description of the temples, where the Emperor himself sacrifices, that I have strictly followed the original. Perhaps the particulars regarding the architecture may even appear tedious to some readers ; but I wished to give a perfect knowledge of these sacred places, where it is not allowed for any one to enter, excepting the agents of the government ; so that the reader might form an idea to himself of what they really are.

### BISHOP HEBER AND THE CHURCH MISSIONARY SOCIETY.

A communication has been made to us regarding a quotation from Bishop Heber's *Narrative*, &c., in the review of that work which was given in our twentieth-fifth volume (p. 648), wherein it is stated, the omission of a word " makes a very material change in the passage." As it stands in the work, the passage is as follows :

I will only add, that the more which I see of India, the more I am convinced that its conversion will be best accomplished by the agency of natives of the country ; that we have already almost reached the moment when it will be no longer desirable to incur the great expense of sending out missionaries from Europe.

In our extract, the word " almost " is omitted ; and " the leaving out this word," it is said (in a letter which accompanied the communication), " is a deviation from that candour which might be expected in such a work " as ours. The writer, consequently, assumes that it was intentionally excluded ; thereby displaying a much more evident want of candour. The omission of the word, which, after all, does not appear to us (taken with the context) to make " a very material change " in the sense, is so obviously an error, clerical or typographical, that it was scarcely necessary for us to refer the communication to the author of the review, even if he had not been known to us as a person of too much integrity to be suspected of so paltry an artifice. He has, however, assured us that the word must have been omitted at the press.

The passage succeeding the quotation, and which, it is observed in the letter before us, " clearly shews the estimation in which the present and future promise of the exertions of the Missionary Society were held by this most excellent bishop," we subjoin. It is separated from the preceding by a wide blank, indicating a suppression of some remarks which, from their position, would probably illustrate more fully the Bishop's meaning :

I really hope that a little energy and prudence only are necessary, with God's blessing, to make your Society a far more efficient source of light and health to India than it has yet been ; and for our augmented endeavours there is great and blessed encouragement in the good which has already been done.

## POLITICAL CONDITION OF CEYLON.

*(Continued from p. 574.)*

" IN the scarcely inhabited district of Trincomalee, services are, I believe, few, and the land-tax is ten per cent. In general, in Candy, it is ten per cent., but services are very grievous. In the Colombo, Chilawa, and Manaar districts, where moderate services seem required, it is ten per cent. In some of the corles between Colombo and Candy, it is regulated by the part which the corle took in the last war with Candy, and modified, in many instances, by the conduct of the landholder; some of these corles pay seven per cent., some individuals in them pay but four per cent. The paddy, produced by this tax is, in some places, received into a government store, and there sold by auction; generally, if not always, it ought to be received on the field; but often the inhabitants have to deliver it at the store, and an extra charge on them; one village assigned as reason for compliance with the imposition, that now it was only flog, flog, for a word; the collection of this tax is often sold to a renter, whose interest it becomes, of course, to harass the cultivator.

" 4. The *services* due from the tenants of land may, I fear, be considered as arbitrary and undefined; they are at present excessive; in the Candian provinces from ten years of age the men may be three months of the year in requisition, working under the white task-master's lash. The bondage is most cruel. The chief object to which this tax is applied is, the making a grand military road from Colombo to Candy, a distance of seventy-two miles, which has employed 800 pressed men eleven years, besides 300 miserables, dressed for pioneers; the next is a road from Candy to Kornegalle, thence to Putlam, eighty-seven miles; another military path to the heart of the country, and affording a passage for the conveyance of salt; other roads, bridges, and the rest houses, cost much labour; this fund has to meet every demand for every public work; it is not to be wondered, that many public servants consider that to carry them their baggage, and to provide them fire-wood, &c. are public services. In the maritime provinces these services do not appear so heavy as in Candy, nor the abuse of them so great.

" 5. The services due from cultivators is, in some districts, hereditary slavery, and referable to caste; in others it may be referred to that of tenants.

" 6. The services of particular castes are numerous, and often minute; in 1802 the moormen and chitties, the merchants of the country, were claimed as coolies for the public service, and offered redemption from six months to six months at about a shilling per month; an insulting claim, and a partial and insupportable tax on the most industrious classes in the country, on the capitalists. That which seems of most consequence in a revenue light, is the cinnamon cultivators and peelers; they seem to me the slaves of the soil; it has just been declared to be the law, that they may not leave the island; they are stated to be miserably poor; their chief to be very rich. The services of the divers have become of little other value than police rules: for not having been constantly under systematical management, they have been managed by promises as well as by threats, and their labour is at a fair price; their number in Ceylon has also become very inconsiderable. The diggers of chaya-root, also, are few in Ceylon, and their services yield but little revenue, which can be placed under this head; however, about 1814, the Government forced all individuals of the sanah and other low castes at Manaar, to dig chaya-root, and

and thus made this tax somewhat productive; but it must have been at a great sacrifice of other interests, not to speak of rights. The conveyance of packets seems not on one caste, but a service from which several castes are exempt in Jaffna, Manaar, Trincomalee, and the Wanny districts, it has been commuted into a permanent poll-tax; in Candy, the posts are conveyed as service; a traveller cannot pass through that country without seeing violence in enforcing this trifling but vexatious service; to enforce it, the post-holder on eighteen shillings a month is allowed to inflict three lashes; he also confines. I am not aware if, in Ceylon, it is the service of any caste to make salt. To hunt elephants is a service, which yielded in 1700 the net sum of £8,000 to the Government; at present they are taken only when wanted for Government service, and those whose duty it is to take them are paid according to the height of the elephant taken; this tax, therefore, at present produces but a most trifling saving in the cash expenditure of the Government.

"To levy in mass large castes of men, and procure elephants, pearls, chanks, chaya-root, may well yield revenue to the Government; but how prejudicial must these levies be to the industry of a country, and to the pressed men in particular! Their service, whilst it lasts, is more violent and ruinous than that of the slave; the cinnamon cultivator, the whole of whose sweat is revenue, he has not even the sweet delusion of hope that his condition may better: desirable articles, as pearls and cinnamon, as long as they can be kept at a monopoly price, are baits to a soldier, government, or trade: once turned trader, it is soon discovered that to dig gold is not so profitable as was imagined; and, as soon as it is found that the sale price cannot be raised, the cost of production is so lowered that the labourer would cease; he is therefore enslaved. Situated as Ceylon is at present, as to checks on its government, it becomes one of her greatest miseries, that all her labour in brick, in mortar, and in the field, does not appear in the Government accounts, which are excessively exact in all cash expenditure, the signature of every cooly hired on public works being sent home: the man, perhaps, was pressed, and paid 4½d. a day when he could not have been hired under 9d. The road from Colombo to Candy cannot have cost, unto this time, less than a thousand pounds a mile, but in the accounts its charge will not appear as an hundred pounds a mile. If pressing is continued, it ought to be kept account of; but it ought to be abandoned; the abject state of society, and its degrading effect on society, are in themselves sufficient reasons; but many others as strong offer themselves.

"7. Of the general services, though not productive of revenue, may be reckoned the service of *jurors* in the Supreme Court; also to assess the value of lands, &c. Undefined caste, tenure, and custom, subjects to cooly work for Government on requisition. The right and prerogative of his Majesty's Government, it is declared, can call for all his Majesty's subjects according to laws and customs. It is also declared to be a reserved right to employ the inhabitants in such public services as are analogous to their castes, they being paid for the same. Watch and ward, in Trincomalee, is so severe as to come round in three nights; the vidhans and constables having for their hire the fines for neglect of this service. Public danger and emergency will, it is said, make it the interest as well as the duty of every individual to exert himself personally for the public welfare. The governor may arm such persons as he thinks fit. The roads and post-services might have been placed under this head, they are so general.

"8. The principal cash exemption from services may be the commutation-  
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tax of 18d. a head on males from fifteen to sixty years of age, in the districts of Trincomalee, Jaffnapatam, Manaar, and the Wanny; the people say the commutation is of three taxes which they did not pay for one they do pay.

"9. Supplies of food are drawn in kind from the natives by some of the European public officers when beyond jurisdiction of the Supreme Court. Game is also furnished to these gentlemen gratis.

"10. Monopolies are so certainly the offspring of unchecked power, that the liberty of the subject in any country may be almost determined by considering the monopolies. In Ceylon we may say we are but heirs of the Dutch, notorious for their monopolies: we overlook that the Dutch government was mercantile, systematic, and unchanging; monopoly was congenial to it: but we preamble about the liberty and welfare of the subject: 'the blessing of liberty is not reducible to any given amount in money:'—'to enable every man to enjoy with security the fruits of his labour no monopoly will be made.' We have no system, the province is given to a soldier: his whim is the law. No two popes ever differed more widely than Ceylon governors have in their preambles to regulations about services: 1800, we have seen by experience the necessity of abolishing services: 1806, of late years measures have been adopted inapplicable to the state of the country: 1806, the ancient system of lenient slavery is restored: 1818, impressment is, and has been always, legal: 1821, it is desirable to abolish slavery. Under the Dutch, the trader and the people knew what measures would be pursued by the government: we invite all the world to come and buy cinnamon at public auction, then we adopt every measure that is prejudicial to the purchaser. We engage in the tobacco trade; then all at once stop and ruin the cultivators. We make oil, throw the cattle-mills out of employment, then leave the nuts to rot under the trees. Even our salt and arrack systems are any thing but uniform; one year and in one district the price of the article is double what it is the next year or in the next district: one collector or renter hoping to gain by high prices, the next hoping to gain by selling low and smuggling large quantities into the high-priced district. In 1800 it was proclaimed and declared, that 'for the encouragement of agriculture, no monopoly will be made by Government of any production of the soil whatsoever, except cinnamon.' However, chaya-root has for many years been a close monopoly; tobacco has been to all intents monopolized; ebony was monopolized; all timber trees Government has claimed the refusal of; toddy, and also oil-nuts, are monopolized for advantages to Government which have ruined the growers. The royal and colonial monopolies seem to be, publishing the laws; printing; postage; the property in cinnamon trees; plants, shrubs, scions, cuttings, leaves, seed, and bark; the wholesale and retail of cinnamon; the taking of pearl oysters; the gleanings of the grounds on which pearl-oysters are opened; the diving of chank shells; the digging of fossil chank-shells; the digging of chaya-root; the collecting of beche-de-mer; of becco-de-pesco; of sharks' fins; of rays; the collecting of precious stones; the making and the collecting of salt; the wholesale and the retail salt trade; the retail of arrack and toddy; in some provinces, perhaps, the wholesale also of arrack; the manufacture and sale of weights and measures; coinage; the possession of arms and ammunition; the sale of gunpowder and saltpetre, &c.; the taking of live elephants; the property in wild buffaloes in the province of Chilaw, and perhaps also in some other provinces; the export of tobacco to Hindostan; the passage of rivers, &c. within a mile of any ferry or bridge of government; ebony; tortoise-shell; gambling-houses.

"I have said, that the liberty of subjects may be judged of by the monopolies

lies to which they are subjected; their misery may be considered great when monopolies and other branches of revenue are rented out to the highest bidder, the most daring publican. In Ceylon, the renting system is very prevalent; to do away with it, it would be necessary to abandon some of the monopolies, which would fall off under the management of Government. The renters are greatly checked by their leases being printed in the different languages, and well known to the public; by the laws being known; by the numerous magistrates having on them the eyes of an intelligent public, often mixed with English; also by the magistrate, in many instances, not being interested in the collection of revenue; and, in the maritime provinces, by his being subject to the Supreme Court: notwithstanding these checks, the encroachments and impositions of renters are enormous. In England, turnpike renters have a simple duty, and meet mostly with persons they cannot intimidate, yet their frauds are notorious. In Ceylon, a rich and powerful man buys for the year the services of a herd of divers or diggers, sold because they are poor, poor because they are sold; another rich man, connected perhaps with the police and revenue officers, will put forward a needy relative, a poor gentleman, as arrack-renter; the quality and measure of the liquor retailed by him it would be needless to complain of; if complaints are made to the collector of the renter's violence in enforcing the payment of debts, of his severity in checking smuggling, or of his smuggling into other districts, he will complain that he cannot pay his rent; and remembering that the next bidding for the rent will be influenced by the indulgence shewn to this renter, the collector will naturally interfere with him as little as possible.

"Freedom of the press is the first want of Ceylon; she has a reading public equal perhaps to that of Madras, though her population may be but a twelfth of the immediate subjects of Madras. This degree of liberty must be looked to as the first indication of honest intention in the Government and in the governor; of course many a functionary would feel the lash, but every one of the reading public is immediately dependent, by hope, on the Government. Government has monopolized every thing, and pervades every thing; the retail shopkeeper must look to government-servants for customers. It is to break this omnipotence that I desire the freedom of the press; to destroy this ruinous interference with industry, and to confine the Government within its proper line of duties, also to give eyes and ears to the legislator, who now, from his citadel, thunders destruction where he often intended to give refreshing showers. What source of information does the Government at present possess concerning the state and the interests of the country? In England, who is there that does not learn much concerning his own interests and profession from the debates of Parliament, and the reports of her committees? There Government is the wisdom of the wise, the counsel of the prudent. The press is also the proper mirror for the executive officers to look in at themselves. No power ever forbade printing, that would not also have forbid speech and thought.

"The post-office is here always under the immediate management of the Government; this establishment is a great expense, but it is necessary for the purposes of Government to have constant communication with every part of the island; the people have but little correspondence by post, their occupations being agricultural, rather than mercantile: the charge of postage is heavy, and conveyance by travellers occurs frequently.

"Coinage is a royal prerogative, secured in the island by the most severe laws; but, during the whole period of our occupation of the island, it has been

been managed so as to prove expensive and vexatious to the Government, and very ruinous to every one connected with Ceylon.

"The manufacture and the sale of weights and measures is monopolized in Ceylon by the Government, and is not farmed out; it is a pitiful, oppressive, and unproductive monopoly, defeating its avowed object; for weights and measures would certainly be more numerous if allowed to be made and bought where cheapest; uniformity is sufficiently secured by providing standards; even the precaution of stamping by government I would consider it best to dispense with; the prerogative of establishing the standards seems quite sufficient for the ends of good government.

"The possession of arms and ammunition is most severely monopolized; it is even declared to be the undoubted right of his Majesty's Government to disarm any persons whatsoever. The sale of gunpowder and of saltpetre are monopolized, not with a view to revenue, but from fear. The island is so overrun with elephants, buffaloes, and pigs, that whilst under cultivation, numerous watchmen, with noise and fires, are required all night; in some parts, three are kept on each acre; in such parts the labour of watchmen is equal perhaps to all the other labour of ploughing, watering, sowing, transplanting, reaping, and threshing: on an average, excepting Jaffnapatam district, I would suppose, that throughout the island, watching grain exceeds one-third of the other labour of its culture. Persons who have registered their fire-arms, daggers, and pike-heads, and got licenses, may keep one pound of powder, four pounds of shot, and four flints, for each firelock. Each ball above an ounce subjects to £7. 10s. penalty. Cingalese may not wear pointed knives in the maritime provinces. Gunpowder is worth in the interior perhaps ninepence each charge; it is clandestinely manufactured on the island.

"The grand monopoly managed always by the Government of Ceylon, with a view to revenue, is that of cinnamon; latterly the acts concerning it are frequent and terrible. It is a disgrace to the age: nations ought to abhor the monopoly, and by treaties free themselves from its effects. After ten years' war, England illuminated at the permanent cession of Ceylon; her transparencies boasted of the acquisition of cinnamon; thirty years we have had the garden, but have destroyed much more than England has eaten; the finest spice the world produces is kept from the world: to make the sacrifice complete, we ought to avow that we burn it as our most acceptable offering to the shrine of the demon of monopoly; let us acknowledge whom we serve. Perhaps 60,000 persons are enslaved to cultivate cinnamon; their slavery, and the rent of the land, yielding so rare and desirable a production, might well produce £60,000 per annum; but, if free, how much more would these men and these acres produce, even though they would then consume some of the cinnamon, which is not the case at present; for on Ceylon, it is as criminal to have cinnamon as to have gunpowder or saltpetre. This branch of revenue is not in a prosperous state: there is no market.

"The monopolies of Ceylon which are usually farmed out are, the diving of pearl oysters, to which the Government looks as one of the most productive branches of its revenues: the last twenty years, more public and private money has been sunk on the banks than the divers have brought up. If mines are monopolized and kept from work, the ore is not lost; but to prevent people from taking pearls ought to be the last scheme of any government. Pearl banks are widely scattered about the sea near Ceylon; if made a free fishery, the depth of water would still protect some banks; those more exposed, when impoverished, would not pay the diver until they recovered. Very lately, a



collector caused two banks to be destroyed, as he would have no commission on their produce, and they might drive away the chanks, on which he draws a commission. To break the oyster-shells in search of seed-pearl in them is farmed even to a few fanams, when it can employ but a score of old women.

"The monopoly of diving and picking up of chank shells it is usual to farm out; the farmers also are allowed to monopolize the digging, even on private persons' lands, of fossil chanks, which are found in extensive and compact beds, easily worked in the dry season. The chank rent may be stated at £3,000 per annum; the export duty on chanks was £500 per annum, but since the increased digging of fossil chanks, it may have exceeded £1,000 per annum. The number of persons employed in procuring chanks is regulated at 700; but digging is so productive, compared with diving, that since five years that the beds have been chiefly looked to, the market has been inundated, and price so lowered, that it does no longer pay to dive chanks under a monopoly. If the monopoly of chank was abolished, the divers could then procure large and valuable shells from deep waters, which would find sale. A duty of ten per cent. on chank shells and chank rings is the only enactment there ought to be on the subject of chanks: the loss of time to the divers, by being under a monopolist, is very great. The sources of wealth ought not to be embarrassed: it is better to snatch from the mouth the morsel after it has been earned; to tax food rather than the field of labour, for then people will not starve in the midst of wealth. It must be remembered that chanks are taxed in Bengal to the consumer; also, that the Madras chanks have in this tax an advantage of eight per cent. over those of Ceylon; the Ceylon merchant has no consideration, all that is thought of is to screw the rent up, even though certain it cannot be paid; it will shew in the account of the day. Rapacity cannot go further than to force a caste of men to pass their lives in diving chanks at a low fixed rate, then suddenly to close the fishery and let it lay waste; but not provide employment or support for the serf. The coast of the island may be considered as divided into three chank fisheries, viz. Jaffna, Trincomalee, and Colombo; the first only has been spoken of; Trincomalee is let at about £20 per annum. In 1825, Columbo was estimated by the collector to be worth £6,000 per annum; but it never has produced one cash. Is not this the impoverishing effect of a system of monopoly?

"The digging of chaya-root is usually farmed out round the coasts of the island by each several collector; it is of the best quality to be found any where; the several rents may produce to the Government £500 per annum, equal, perhaps, to twenty-five per cent. on its export value. The export of it is free, so that the foreign dyer has it on the same footing with the Ceylon dyer, excepting transit charges; but if the revenue it yields to Ceylon was collected on export, in lieu of on digging, the Jaffna chaya dyers, who excel all others, would be benefited. Look at the diggers now under the rented monopoly, and say if any change of system can hurt them; they are about on a par with the New Hollanders in comforts, in wealth, and in precarious subsistence. Besides this enslaving of a caste, the monopoly breaks down all barriers of property, to dig the root in private grounds: it forces every door on suspicion of smuggling. Formerly chaya produced to the Government £2,000 per annum; but probably in the mode mentioned, under the services of particular castes.

"In several districts the search for gems, &c. is farmed, even where the chance of success is so small as to produce a mere trifle of rent.

"The tolls of bridges and ferries being under the care of the revenue collectors,

lectors, have been by them considered as objects of revenue instead of accommodation, and as such screwed up to the highest sum which the vilest renter could hope to extort and save from the public, by curtailing the establishments necessary for them. The Manaar ferry lets for £127 per annum; passengers may use only the ferry boat; it conveys them 100 yards for nine thirty-twos of a penny, and then puts them out to walk, in three feet water, the distance of a mile or two. At Arippe river, the same fraction is paid for crossing the river, whether dry-shod or to the middle in water. I have suspicion if there is either boat or man on that establishment more than the receiver of the toll: this rent produces £22 per annum. Such are the accommodations provided for the public by foreign magistrates! Will any of them dare to say, trampled on and degraded as the remnant of Manaar is, that the people could not better manage these ferries, which are so necessary to their comfort and prosperity?

"The retail sale of arrack and of toddy is generally farmed out by the collector of each district separately; any licensed person may deal in arrack above fifteen gallons, but perhaps not in every district. The dram-shops are very numerous, and are sub-rents: often it is endeavoured to restrict the poorer inhabitants of a quarter to the dram-shop of that quarter; however, from it alone he is allowed to indulge in a bottle at home; however bad the liquor, unaccommodating or insolent the publican, he can send to none other; poisonous compounds of leaves, &c. are distilled and sold, mixed with arrack; the renter even has but little interest in supplying the sub-renters with any but cheap arrack; the retail price of arrack may be rated as varying from sixpence to a shilling the bottle, as fixed by the collector for the year; toddy, at Colombo, is a penny the bottle; at Manaar it is one farthing a bottle, being free of the renter, as a favour to the very poor inhabitants of that island, who have only a few palmyra trees on the barren sand. Chilaw is this year under Government management; it has thirty taverns; arrack is sixpence the bottle; last year it was eleven-pence farthing. At every post arrack is clandestinely sold. The English system of a duty on the liquor, and license to the vendor, leaves people quiet and well supplied, compared with this renting system, which entails certain ruin on any class who would engage as renters. Every year they are to buy their business at the most sanguine hope of the most sanguine member. If an account of seizures, forfeitures, and pending mortgages connected with the rents of Ceylon, was made public, it would be sufficient to cause the renting system to be greatly restricted by any good government.

"Stillars are forbidden in the Malabar districts, and taxed where licensed at 3s. 9d. for each gallon of contents: the restrictions and forms are very burthensome on all dealing in arrack.

"The retail sale of cinnamon is perhaps rented out; or it may be in the hand of licensed persons, who buy of Government at a fixed rate, and sell at another fixed rate; at present 3s. the pound; excepting in Colombo and Galle. I doubt much if cinnamon is retailed in any part of Ceylon, although the act provides for the supply of Jaffnapatam and Trincomalee: the use of it in Ceylon is all but prohibited. In 1820 the penalty on exportation was 300 rix dollars for each pound; three rix dollars pennily would have the same effect; but the market is not brisk enough, and the monopolist is vexed; what he wants in success he would make up by force.

"The making of salt for the wholesale dealer has sometimes, at places, been included in the wholesale salt-farm; at other places Government contracts for the making of salt; at Putlam the rate is 1½d. the parrah of 1,549 cubic inches, or about forty-four pounds; at Manaar it is 2½d. The wholesale of

of salt is farmed out generally. At the great pans of Hambangtotte and Chilaw it perhaps is always in the hands of Government. At Colombo, Chilaw, and Manaar, the retail price is 2s. the parrah; at Manaar 10,000 parrah are made; the renter pays £150, and 1s. 6d. per parrah. In transit, above one parrah must be accompanied with the pass. In the maritime provinces, retailers are licensed, and salt may not be kept by other persons. But in the Candian provinces, the retail of salt seems under no restriction; every person perhaps may sell it where and when he pleases, at any rate he can obtain. The Candians are accustomed to hoard salt. Chilaw district sells at present 200,000 parrahs of salt: all its other revenues are trifling.

"Beche de mer, becco de pesco, shark fins, rays, have all been monopolized by the British Government of Ceylon, and all may be supposed to have proved unproductive, these fisheries being no longer carried on; at present it is expected to ask permission to take these articles; they are, therefore, let for a bow; but the Government will not consider them open fisheries, because it once monopolized them. Ebony also has been cut and sold on account of Government; perhaps even exported: at present, in common with other timber, it is cut by license, brought to the sea custom-house, and there pays, as forest duty, ten per cent.; this forest duty is properly payable in the forest, on the timber; it is not payable on the charges of conveying the timber to market. A tortoiseshell fishery was farmed on the south coast; the animals were roasted until they shed their coats, and then let loose again. At Delft island, the late superintendent monopolized for himself tortoiseshell.

"From 1812 until about 1825 the Ceylon Government derived profit from a monopoly of Ceylon tobacco exported to Travancore; deprived of this profit, she monopolized to herself the export of Ceylon tobacco to the whole of Hindostan, by the laying on of a duty five times that charged to any other place; the consequence was, the ruin of all who had been engaged in the culture and preparation of tobacco at Jaffnapatam. At present, individuals are attempting to trade in tobacco to Travancore; the duty is so great, that I rank the trade as a Government monopoly let out; three or four years very little revenue has been derived from this monopoly; it has involved the Government in long and harsh discussions; caused several severe enactments; and destroyed the tobacco trade. The article pays ten per cent., at the very least, as the tax on its cultivation; if another ten per cent. was laid on its export, it would yield a fair revenue, which would be permanent and steady; the excellence of the tobacco would long since have created demand for it in several quarters; but the Government has been so desirous to reap all the advantages derived from its soil, it lost the Acheen market, now the Travancore.

*(To be concluded next month.)*

## Review of Books.

*Memoirs of Jahangueir, written by himself, and translated from a Persian Manuscript.* By MAJOR DAVID PRICE, of the Bombay Army, M.R.A.S., &c. London, Printed for the Oriental Translation Committee, 1829.

WE despair of being able to say any thing very new upon the use and value of autobiography. If, abstractedly speaking, the lives of eminent individuals written by themselves be a valuable present to literature, how much more precious must such a legacy be, when the individual is a sovereign, who ruled over a vast territory four centuries ago, and respecting whose history the records are comparatively scanty and dubious !

The imperial autobiographer, whose interesting memoirs are now before us (which, as the reader will observe, are printed at the expense of the Oriental Translation Committee), probably followed the example of his ancestor, the great Báber, whose copious and valuable history, written by his own hand,—so minute, that it informs us when he took an electuary, and how often he got drunk,—has been admirably translated by Dr. Leyden and Mr. Erskine.

Khossrou, or Jahangueir, the name he assumed at his accession to the throne of Hindostan (being the fourth of the Mogul dynasty), was the son of the great Akbar. He succeeded his father, A. D. 1605, at the age of thirty-eight; though he tells us in his *Memoirs* that he was born on the 18th of August 1570, which would make him two years younger. His father Akbar, till of the age of 28, had no child that lived; upon the birth of this, therefore, in pursuance of a vow, he made a pilgrimage on foot from Agrah, the imperial residence, to Ajmere, where dwelt a holy dervish, named Sheikh Seleim, whose prayers he implored for the safety of his child. The dervish complied, and gave the child the name of Mahommed Seleim. The imperial narrator says, however, “I must observe that from my father’s anointed lips, I never on any occasion heard myself called by the name of Mahommed Seleim; baba (child) being the more paternal and affectionate appellation by which he invariably addressed me. And, peradventure, I might have been contented to the last with the title of Sultan Seleim: but to place myself on a par with the monarchs of the Turkish empire (Roum), and considering that universal conquest is the peculiar vocation of sovereign princes, I thought it incumbent on me to assume at my accession that of Jahangueir Padshah, as the title which best suited my character.”

The memoirs commence with an account of the measures adopted by the writer at his accession. He fixed the legend to be placed on the coin; he caused the *nagarra*, or great imperial drum, to beat for forty days and forty nights without ceasing; and for an extent of nearly fifty zereibs around his throne, the ground was spread with costly brocade and embroidered carpets, &c. The calculations of the value of articles are (throughout the work) enormous and altogether incredible: for example, the imperial crown had at each of its twelve points a single diamond of the value of £150,000 and with its other appendages was worth £2,076,000 sterling!

His first ordinance directed that “a chain of justice,” made of gold, weighing three quarters of a ton, being one hundred and forty guzz in length (about two hundred and sixty feet), with eighty small bells at intervals, should be fastened at one end to the battlements of the regal tower of the castle of Agrah, and at the other to a stone pillar near the bed of the Jumna; “that, when

when at any time the dispensers of law under my authority might fail in the administration of justice, the injured party, by applying his hand to the chain, would find himself in the way of obtaining speedy redress."

He tells us of several other salutary regulations with which he began his reign, among which was a prohibition of the manufacture and sale of wine or any other intoxicating liquor. A confession of a curious kind follows this statement.

"I undertook to institute this regulation, although it is sufficiently notorious that I have myself the strongest inclination for wine, in which from the age of sixteen I have liberally indulged. And in very truth, encompassed as I was with youthful associates of congenial minds, breathing the air of a delicious climate—ranging through lofty and splendid saloons, every part of which decorated with all the graces of painting and sculpture, and the floors bespread with the richest carpets of silk and gold, would it not have been a species of folly to have rejected the aid of an exhilarating cordial—and what cordial can surpass the juice of the grape? May it not happen that theriauk, or opiates, or stimulants, have been rendered habitual to the constitution? and heaven forbid that this should deprive a man of the most generous feelings of his nature. With some acknowledged beneficial effects, it must however be confessed, that these indulgencies to excess must expose a man's infirmities, prostrate his constitutional vigour, and awaken false desires, such being the most injurious properties belonging to the list of stimulants. At the same time, we cannot but remember that kelourica is brother's son to theriauk.

For myself, I cannot but acknowledge that such was the excess to which I had carried my indulgence, that my usual daily allowance extended to twenty, and sometimes to more than twenty cups, each cup containing half a seir (about six ounces), and eight cups being equal to a maun of Irak. So far, indeed, was this baneful propensity carried, that if I were but an hour without my beverage, my hands began to shake, and I was unable to sit at rest. Convinced by these symptoms, that if the habit gained upon me in this proportion my situation must soon become one of the utmost peril, I felt it full time to devise some expedient to abate the evil: and in six months I accordingly succeeded in reducing my quantity gradually from twenty to five cups a day. At entertainments I continued, however, to indulge in a cup or two more: and on most occasions I made it a rule never to commence my indulgence until about two hours before the close of the day. But now that the affairs of the empire demand my utmost vigilance and attention, my potations do not commence until after the hour of evening prayer, my quantity never exceeding five cups on any occasion; neither would more than that quantity suit the state of my stomach. Once a day I take my regular meal, and once a day seems quite sufficient to assuage my appetite for wine; but as drink seems not less necessary than meat for the sustenance of man, it appears very difficult, if not impossible, for me to discontinue altogether the use of wine. Nevertheless, I bear in mind, and I trust in heaven that, like my grandfather Homayun, who succeeded in divesting himself of the habit before he attained to the age of forty-five, I also may be supported in my resolution, some time or other to abandon the pernicious practice altogether. 'In a point wherein God has pronounced his sure displeasure, let the creature exert himself ever so little towards amendment, and it may prove, in no small degree, the means of eternal salvation.'"

The emperor dilates a great deal upon the magnitude, the population, and splendour of Agrah. "In very truth," he says, "it is a wonderful city; and hence it is not surprising that in the esteem of mankind it has been placed on the same rank with Gualiar and Muttra, the latter the birth-place of *Krishna*, whom the Indian nations, in their ignorance, adore as the supreme being, and who, when they would speak in language of the highest praise, refer to these three places as surpassing all other cities in the known world."

In speaking of Banaras, he mentions a Hindoo temple erected there by Maun Sing, which cost him, he says, in his customary mode of exaggeration, a  
sum

sum equal to between six and seven millions sterling. It is the belief of the *Jehennemiles*, as he terms them, that a dead Hindoo, placed before the idol there, would be restored to life. Jahangueir, disbelieving the story, placed a spy in the temple, who discovered the imposture; whereupon the emperor says he made it a plea for throwing down the temple, and erecting a mosque on its site with the same materials; and with God's blessing," he adds, "it is my design, if I live, to fill it with true believers." He enjoins the following observation, which shows the prudence of the great Akbar.

On this subject I must however acknowledge, that having on one occasion asked my father the reason why he had forbidden any one to prevent or interfere with the building of these haunts of idolatry, his reply was in the following terms: "My dear child," said he, "I find myself a puissant monarch, the shadow of God upon earth. I have seen that he bestows the blessings of his gracious providence upon all his creatures without distinction. Ill should I discharge the duties of my exalted station, were I to withhold my compassion and indulgence from any of those entrusted to my charge. With all of the human race, with all of God's creatures, I am at peace: why then should I permit myself, under any consideration, to be the cause of molestation or aggression to any one? Besides, are not five parts in six of mankind either Hindûs or aliens to the faith? and were I to be governed by motives of the kind suggested in your inquiry, what alternative can I have but to put them all to death! I have thought it therefore my wisest plan to let these men alone. Neither is it to be forgotten, that the class of whom we are speaking, in common with the other inhabitants of Agra, are usefully engaged, either in the pursuits of science or the arts, or of improvements for the benefit of mankind, and have in numerous instances arrived at the highest distinctions in the state, there being, indeed, to be found in this city men of every description, and of every religion on the face of the earth."

Jahangueir himself displays a truly sagacious and humane mind, in regard to a superstition which it is erroneously supposed the Mussulman rulers of Hindostan put down by the strong arm of authority.

In the practice of being burnt on the funeral pyre of their husbands, as sometimes exhibited among the widows of the Hindûs, I had previously directed, that no woman who was the mother of children should be thus made a sacrifice, however willing to die; and I now further ordained, that in no case was the practice to be permitted, when compulsion was in the slightest degree employed, whatever might be the opinions of the people. In other respects they were in no wise to be molested in the duties of their religion, nor exposed to oppression or violence in any manner whatever. For when I consider that the Almighty has constituted me the shadow of his beneficence on earth, and that his gracious providence is equally extended to all existence, it would but ill accord with the character thus bestowed, to contemplate for an instant the butchery of nearly a whole people; for of the whole population of Hindûstan, it is notorious that five parts in six are composed of Hindûs, the adorers of images, and the whole concerns of trade and manufactures, weaving, and other industrious and lucrative pursuits, are entirely under the management of these classes. Were it, therefore, ever so much my desire to convert them to the true faith, it would be impossible, otherwise than through the excision of millions of men. Attached as they thus are to their religion, such as it is, they will be snared in the web of their own inventions: they cannot escape the retribution prepared for them; but the massacre of a whole people can never be any business of mine.

Jahangueir, by his marriage with a Rajpoot princess, had a son, to whom he gave the name Khossrou. This son seems to have been a source of bitter uneasiness to him. Before he was one and twenty he rebelled against his parent, and by the ingratitude of some of the emperor's servants, was able to withstand him

in the field. If the conduct of the imperial narrator corresponded to his sentiments, as expressed in these *Memoirs*, he ought to have conciliated the esteem of all his servants. Having bestowed a higher rank than was customary with him at first on a deserving individual, he thus palliates the violation of the rule.

In truth, considering the heart as the genuine seat of true devotion, I esteem the securing to myself of one such faithful heart not inferior in merit to a thousand grand pilgrimages to the sacred cities. Neither would I neglect, so far as compliance rests within my power, to fulfil the just expectations of any man, without distinction of infidel or true believer. This age-stricken ruin of a world has survived hundreds of thousands such as I am; what then can be more desirable than to do something in the fleeting present, of the merit of which we may avail ourselves in an eternal hereafter? Even in this world, the advantages of a benevolent action, of gaining to ourselves the attachment of mankind, are beyond all price; and for my part, I should derive a greater satisfaction from rejoicing the heart of a single individual, than from leaving behind me jewels and gold by the horse-load, to be squandered by a profligate heir.

One of the most curious records in these *Memoirs* is that respecting Abul Fuzil, the historian of Akbar's reign. Jahangueir was always suspected to have been implicated in the guilt of that individual's murder; he here confesses it. The reasons assigned imply a suspicion that the minister was prejudicing his master against the religion of the prophet. It must be confessed that the elegant historian and minister of Akbar, as well as his master, gave strong grounds for suspicion that they were too liberal for Mussulmans.

A large part of the *Memoirs* is occupied with the reasons for the author's promoting or disgracing his officers, some of which do credit to him if they are sincere. Amongst the names of the individuals promoted, is that of Nekkeib Khan, the tutor of the emperor in his youth, and who is praised for his extraordinary proficiency in literature. Major Price thinks it probable (the fact can hardly be doubted) that it is the same individual who translated the *Māhabhārata* into Persian, erroneously stated, by Anquetil Duperron, to have been the work of Abul Fuzil. He wrote, indeed, the preface thereto, which contains abundant evidence that both he and Akbar were disposed to look with a favourable eye upon foreign religions, even the Christian.\*

In the course of his *Memoirs*, Jahangueir records the instance of a very remarkable conversation with some Brahmins on the subject of religion.

In conversation one evening with certain Pundits, the appellation by which their divines and learned men are distinguished by the Hindûs, I took occasion to demand, supposing it to be their intention, in the images which were the objects of their worship, in some sense or other to represent the nature or essence of the Deity, what could be a greater absurdity, or more revolting to the understanding, since we all knew that the Almighty is eternally exempt from change or decay, has neither length nor breadth, and must therefore be totally invisible; how then could it be possible to bring him in any shape under the imperfect scope of human vision? "If, on the other hand," continued I, "your idea is the descent or manifestation of the light divine in such bodies, we already know that the power of the divinity pervades all existence; this was announced to the legislator of Israel from the midst of the burning bush! If, again, it be your design to delineate by affinity (*qu?*) any of the attributes of the Supreme Being, we must confess that here below there cannot in reality exist any affinity, otherwise we might have expected some such manifestation by the hands of those whom, in any religion, we believed to have possessed the faculty of working miracles, and who surpassed all other men in knowledge, in power, and every human perfection. But if you consider these

\* See Extracts, given by M. Schûts, in our Journal, vol. xx. p. 633.

these figures as the immediate objects of adoration, and as the source from which you may derive support and assistance in these designs, this is a most fearful conclusion, since adoration is due to God alone, supreme in glory, who has neither equal nor associate." After a variety of arguments for and against, the most intelligent of these Pundits seemed convinced of the weakness of their cause, finally confessing, once for all, that without the intervention of these images they found it impossible to settle their minds to a steady contemplation of the perfections of the Supreme Being. To which, in reply, I could only observe, in what manner, after all, was it that these images of theirs could contribute to the attainment of such an object?

The liberality of the emperor was displayed, at his accession, in his remission of the taxes called *zekkout*, *sermoharry*, and *tumgha*, throughout the empire. The ordinance was protested against by one of the Cazies of Cabul, so far as regarded the *zekkout*, or dues of one-tenth on merchandize, on the ground that fraudulent evasions would take place, by persons pretending to be merchants. "It instantly occurred to me," says the imperial narrator, "that this representation on the part of the worthy Kauzy had its origin, nevertheless, in views of sordid self-interest, and not, as he wished to make it appear, in zeal for the advancement of the revenue. I therefore issued a further decree, ordaining that whatever the question, of merchant or no merchant, I peremptorily remitted the duties to all passengers conveying effects through the country without distinction. I caused it to be made known, moreover, that no person serving in my armies was to presume to transgress an order thus publicly repeated; and those employed to guard the passes into the country were charged, as they valued their heads, to beware, a thousand times over to beware, of making the collection of duty or any other object the pretext for oppressing the peaceable traveller with exactions in any shape whatever."

At a subsequent period, a collector suggested the renewal of the tax; whereupon he was ordered to have his bowels cut open, and proclamation was made to the following effect: "Such is the punishment to which that man is doomed, who when his sovereign, from a paternal regard to the welfare of his people for a period of fourteen years past, has remitted the impost of the *zekkout*, dared to insinuate the advantage of renewing such a tax, and thus bringing upon the benefactor of his people afresh the odium of being their oppressor. Let this be an example to deter the evil counsellor from communicating the slightest hint to give the thoughts of the sovereign a direction so replete with evil to the subject and dishonour to himself."

The latter portion of the *Memoirs* is chiefly occupied with the details of the unnatural conflict between the emperor and his son Khossrou, who was at length subdued, and committed to confinement. He procured his release by the intercession of Parveiz (another son of the emperor), who became surety for the future loyal conduct of his brother. The interview between the father and son is described in an affecting manner.

The *Memoirs* terminate abruptly, whilst the emperor is on his way to Cabul.

Although the sentiments expressed in this curious work are indicative of a humane and virtuous mind, we are not justified in appropriating those qualities to a man who was instrumental in the destruction of his brother, in order to rob him of his wife; who was the prompter of Abul Fuzil's murder, and who speaks with complacency of the most barbarous cruelties practised upon about two thousand of his son's army, who were flayed, trampled to death, or impaled alive; seven hundred were subjected to this horrid punishment at once, in the bed of the Rawee, in presence of the emperor. It is true,



the imperial author observes, in regard to these acts, "the shedding of so much human blood must ever be extremely painful; but until some other resource is discovered it is unavoidable." And again, "If I have been sometimes led to deal with thieves and robbers with indiscriminate severity, never have I been actuated by motives of private interest or general ambition."

Of the habits of the emperor there are not many distinct traces in his *Memoirs*. His profusion seems to have been great; the gifts he bestowed were large, and sometimes merely wanton. The freaks of these monarchs may be conceived from the account given of the treatment of Jahangueir's favourite elephant, *Indraguj* (the elephant of Indra), which is described as of immense size and strength, unparalld speed, and of great docility. It had a band of music to attend it, and was always preceded by forty spearmen. Every morning it had seven gallons of liquor to drink, and every morning and evening a hundred weight of rice, and half a hundred weight of beef and mutton boiled, with seven gallons of ghee. This was the daily allowance of each of the twelve thousand elephants in the emperor's stables. The gold ornaments about its body weighed one hundred and twelve pounds. A howdah of solid gold was placed upon its back, and its body was painted every day with dust of sandal-wood. In another place the emperor tells us that, besides these twelve thousand elephants, there were no less than one hundred thousand employed to carry the litters and baggage of the imperial household. The aggregate expense of the elephant-establishment, he says, was £69,000,000 sterling (a sum of itself sufficient to throw Mr. Hume into convulsions), besides what was incurred in looking after them, each animal requiring fifteen persons to provide for it, and a guard of one thousand men being posted at every station of a thousand elephants." This would make the number of attendants amount to nearly two millions of persons, more than double the entire population of London!

But, in truth, numbers and quantities in these memoirs are so exaggerated, as the translator remarks, as to be utterly incredible. We are told of individuals possessing fortunes of £90,000,000 and £100,000,000 sterling.

Nevertheless, the memoirs are extremely curious and valuable. They must be of much service to the historian; they not only record facts, but they betray an inlet to the heart, which no autobiographer can at all times keep perfectly guarded.

Major Price has performed his task of translation with ability.

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*History of Russia and of Peter the Great.* By General COUNT PHILIP DE SEGUR. London, 1829. 8vo.

Count Segur is a powerful writer and an original thinker. If his reflections are not always profound, they shew condensation and a habit of judging for himself.

The work before us, which is said to have occupied twenty years of his life, is a philosophical analysis of the history of Russia, rather than what is popularly called an historical composition. It is a review of the most striking events and personages of Russian history, which are made to pass rapidly before the readers, whilst their characteristic traits are seized and exhibited in a masterly manner by the author, who, as he observes, has confined himself to the frame of the Russian Colossus. "I have not," he adds, "attempted to follow its growth, except in its most important stages; or its march, except in its most striking movements. In other words, I have sought to discover the reason of the spirit of its long history; I have endeavoured to compress, to abridge, to circumscribe."

circumscribe it within the limits of an almost synoptical table; and have laboured to trace it in characters, which may be legible to the eyes of both sexes, and of every age." The early details of Russian history are made subservient to the reign of Peter the Great, who is the prominent figure in Count Segur's work: he passes "from summit to summit, till he reaches the creator of modern Russia; a being so colossal, that it seems as if the history of so many ages were nothing but the prelude to his illustrious life."

The plan pursued by Count Segur is peculiarly adapted to the subject he treats of. The early history of Russia is a confused, heterogenous mass; and it requires the skilful hand of a real artist to select the ore and reject the dross; one who knows how to distinguish between what will and what will not shine, *et quæ desperet tractata nitescere posse relinquit*.

Throughout the work, our author writes in a bold and nervous style; conciseness, and vigour, and condensation, are its characteristics. The history and character of Peter are drawn in a manner perhaps too encomiastical; the panegyric of Count Segur is marked with all his customary energy. It is, however, difficult to contemplate that stupendous man, who, "strong in his own unaided strength, at the very outset extricated himself from the midst of fifteen millions of men, embruted by ten centuries of ignorance and prejudices, and darted out of the sphere of the coarse manners in which he was enveloped," without employing the language of hyperbole.

This work of Count Segur is a very acceptable publication, and will be of great use to the reader of Karamsin and Levesque, by guiding him through the difficult pages of Russian history, and impressing upon his mind what is really useful.

*The Atlas of India.* Published by the East India Company.

THIS noble work, of itself a splendid monument of the munificence of the East-India Company, is upon a scale of four miles to an inch, and taken from actual surveys, which, when completed, will form a map of India on one uniform plan. The project was first conceived by Col. M'Kenzie, and a large portion of those parts already published were surveyed under his superintendence. The surveys on the northern part of the Peninsula have for their basis the triangulation of Col. Lambton, who extended a set of principal and secondary triangles over the whole country.

The sheets are published as they are completed; some of them have blank spaces, to be filled up as the surveys proceed; nothing being allowed to go forth to the world which is not founded upon actual survey. The following are the sheets already published:

Sheet 47 contains the surveys of Capt. Hodgson and Lieut. Herbert in the mountainous country comprising the northern part of the province of Sirmoor, and the principal part of Bissahir.

Sheet 48 contains the surveys of Capt. Hodgson and Lieut. Herbert in the southern part of the province of Sirmoor, part of Gurhwal, and the Dehra Doon. The flat country is from the surveys of Lieut. White, Capt. Colvin, and Lieut. Blake.

Sheet 65 is principally the survey of Capt. Hodgson and Lieut. Herbert of the sources of the Ganges, and of Mr. Moorcroft of the sources of the Indus and Sutluj.

Sheet 66 is principally the survey of Capt. Webb of the province of Kumaon.

Sheets 69 and 70 contain the greater part of the province of Bundelcund, surveyed by Capt. Franklin, brother of Capt. Sir John Franklin, R.N.

Sheet

Sheet 42 contains the surveys of part of Soonda and Bilgy by Captain Garling; the southern districts of the Deccan (Kor, Ranah, Bednore, Gootul, &c.) surveyed under the superintendence of the Surveyor-general of Bombay; all the remainder, forming the north-western part of the Rajah of Mysore's dominions, and the province of North Canara, is by Col. M'Kenzie.

Sheet 43 contains the survey of South Canara, and part of Mysore by Col. M'Kenzie, and of the district of Codugu, by Lient. P. E. Conner.

Sheet 58 contains the survey of part of the Nizam's territory, being the circars of Moodgul and Raichoor, by Capt. Garling; and of the north-western part of the ceded districts, by Col. M'Kenzie.

Sheet 59 is the survey of the south-western part of the ceded districts and the northern part of Mysore, by Col. M'Kenzie.

Sheet 60 is principally the survey of Mysore, by Col. M'Kenzie.

Sheet 77 contains the south-eastern portion of the ceded districts surveyed by Col. M'Kenzie; and the northern part of the Carnatic, surveyed by the officers of the Military Institution at Madras.

Sheet 78 contains the surveys, by the officers of the Military Institution at Madras, in the Carnatic, the Baramahl, &c.

Sheet 80 contains the surveys of the districts of Ramnad, Shevagunga, part of Tanjore, &c. surveyed under the superintendence of Col. M'Kenzie.

Sheet 81 is part of the coast of Ramnad and Tinnevely, surveyed under the superintence of Col. M'Kenzie.

Sheet 95 contains the eastern part of the Guntur district, surveyed by Lieut. Mountford and assistants; and of the Masulipatam, and Condapilly Circars, by Mr. W. Scott and assistants.

## NEW PUBLICATIONS.

### LONDON.

*Narrative of a Journey from Calcutta to Europe, by way of Egypt, in the years 1827 and 1828.* By Mrs. Charles Lushington. Post 8vo. 1s. 6d.

*Journal of an Embassy to the Court of Ava, from the Governor-General of India, in the year 1827.* By John Crawford, Esq., late Envoy; with a Geographical Appendix, by Dr. Buckland and Mr. Clift. 4to. with Plates. £3. 3s.

*Travels in Turkey, Egypt, Nubia, Palestine, &c.* By R. R. Madden, Esq. 2 vols. 8vo. £1. 4s.

*A Journey from Sarepta to several Calmuck Hordes of the Astracan Government.* By H. A. Zwick and I. C. Schill. Post 8vo. 6s.

*Travels of Ibn Batuta*, translated from the abridged Arabic MS. Copies preserved in the Public Library of Cambridge; with Notes. By the Rev. S. Lee, B.D., &c. 4to. 20s.

*Scenery, Costumes, and Architecture*, chiefly on the western side of India. By Capt. R. M. Grindlay. Part V., atlas 4to. £2. 2s. — (Part VI., which completes the Series, will be published in August.)

*Mohametanism Unveiled*: an Inquiry, in which that Arch-Heresy, its Diffusion, and Continuance, are examined, on a new Principle, tending to confirm the Evidences and aid the Propagation of the Christian Faith. By the Rev. C. Forster, B.D. 2 vols. 8vo. 24s.

*Sermons Preached in India.* By the late Right Rev. Reginald Heber, Lord Bishop of Calcutta. 8vo. 9s. 6d.

*India, or Facts submitted to Illustrate the Character and Condition of the Native Inhabitants, &c.* By R. Rickards, Esq. Vol. I. 8vo. 16s. 6d.

*The East-India Register and Directory*, compiled from the official Returns received at the East-India House; corrected to the 1st of May 1829. 10s.

*Poems, Original, Lyrical, and Satirical, containing Indian Reminiscences of the late Sir Toby Rindrag, M.N.S.* 12mo. 5s.

*The Bengalee*; or, Sketches of Society and Manners in the East. Post 8vo. 10s. 6d.

*Chosar and Sela*; or, the Siege of Damascus; and other Poems. By Jas. Fletcher, of Clare Hall, Cambridge. Fcap. 8vo. 5s.

*Observations on the Culture of Silk.* By the late Arch. Stephenson, Esq., of Mongreeman, in Ayrshire. 8vo.

*Remarks on the East-India Company's Charter*, as connected with the interests of this country, and the general welfare of India. By H. W. Playfair, Esq. 8vo. 2s. 6d.

*Descriptive Catalogue of the Lepidopterous Insects contained in the Museum of the Hon. East-India Company*, illustrated by coloured Figures of new Species, &c. By T. Horsfield, M.D., F.R.S., &c. Part II. in royal 4to. £1. 11s. 6d.; or with proof impressions, and all the Plates coloured, £2. 2s.

*Outline of a new System of Political Economy.* By an Officer in the Military and Civil Service of the Hon. East-India Company. 8vo. 10s. 6d.

*A Dissertation on the Course and probable Termination of the Niger.* By Lieut. Gen. Sir Rufane Donkin, G.C.H., &c. &c. Post 8vo., with maps.

*The History of the Hebrew Commonwealth*, from the earliest times to the destruction of Jerusalem, A.D. 72. Translated from the German of John Jahn, D.D.; with a continuation to the time of Adrian. By C. E. Stowe. 3 vols. 8vo. £1. 1s.

*A Letter to a Friend in England on the State and Patronage of the Church in India.* By a Chaplain on the Bombay Establishment. 8vo. 2s.

*Asiatick Tables.* By Capt. Lyon. 4to. £2. 2s.

## Royal Asiatic Society of Great Britain and Ireland.

*May 2d.*—The Right Hon. Sir Gore Ouseley, Bart., Vice President, presided at the general meeting of this day.

Amongst the donations presented were the following, *viz.*

From Sir Geo. Thos. Staunton, Bart., a series of copper-plate engravings, partly executed at Paris and partly by Chinese artists, after drawings made by the Jesuit missionaries, illustrative of the conquest of Eleuth Tartary by K'een-lung. The Chinese portion of this very elaborate performance is exceedingly curious. From Lieutenant-Colonel D'Arcy, an ancient Armenian MS., presented to the Colonel by the Calipha, or Armenian Patriarch of Etzmiatzen, near Mount Ararat; the MS. appears to contain several of the Epistles of St. Paul, and some of the Apocryphal Epistles. From Major-General the Hon. Sir John Malcolm and the Native Education Society of Bombay, a lithographed copy of the Anvari Soheili. From the Ministry for Foreign Affairs at St. Petersburg, the following works in Russian, by the Monk Yakinoff, formerly one of the Russian ecclesiastical establishment at Peking, where he resided for thirteen years: 1, Notices of Mongolia; 2, Description of Thibet; 3, Description of Eastern Turkestan: the two last-mentioned works are translated from the Chinese. This donation was transmitted by his Excellency the Prince de Lieven, who, in an accompanying letter, requests that it may be considered as a fresh proof of the zealous co-operation with which the views of the Royal Asiatic Society, in every thing which may contribute to the advancement of Oriental literature, will be met by the Government of his Imperial Majesty. From J. F. Davis, Esq., the *Shee-king*, or Book of Odes; the *Haou-kew-chuen*, the Principles of Prosody, both in Chinese, printed; and a Chinese poem descriptive of London, MS. Mr. Davis also presented a wax candle, made in Japan, from the plant called *rhus succedaneum*, a Japanese wax tree, and he has brought home some of the plants, to try how far it may be practicable to rear them in England. Mr. A. B. Lambert, V.P.L.S., has one of them in his hot-house, which is now about eight feet high.

Lord Viscount Holmesdale, M.P., was elected a resident member; and Capt. Robert Mignan, of the 1st European Regiment, Bombay, was elected a non-resident member of the Society.

Mr. J. F. Davis commenced reading his essay on the poetry of the Chinese.

This essay is divided into two parts; the first of which, treating on Chinese versification, occupied the attention of the meeting this day. The subject of this part, Mr. Davis considered with reference to the sounds of the spoken language, and its fitness for metrical composition; the variation of tones or accents as prescribed by rule; the use of poetical measures; the observance of a regular cæsural pause, about the middle of each verse; the use of terminal rhymes; and the rythmical effect produced by the parallelism of couplets.

With respect to the spoken language, Mr. Davis controverts the opinion that its sounds are strictly monosyllabic, and consequently unfitted for the production of melody, and asserts that the Chinese language abounds in diphthongal, if not in triphthongal sounds. Having shewn what the inherent qualifications of the oral language are, for poetry, the author proceeded to observe upon the assistance afforded to it by the tones or accents, which were originally adopted, it appears, rather from the necessity of perspicuity in speech, than for the sake of melody in verse: the accents in use are three in number, the acute, the grave, and the short; to which is added a fourth, although, strictly speaking, this is not an accent, but rather a negative quality, the absence of all marked intonation. The next section was devoted to the consideration of the source of harmony furnished by the use of poetic numbers, in illustration of which, several specimens of Chinese verse of different metres were introduced, with translations. Every word of Chinese poetry, it was observed, may be properly considered, not as a mere syllable, but as equivalent to a metrical foot in other languages.

The use of the cæsural was demonstrated by Mr. D. to be after the fourth word

word in a verse of seven; and after the second in those of five. In shorter lines it was not perceptible. The fact of the existence of the cesural pause has never before been noticed with reference to this subject.

The rhymes occur at the termination of every second verse; but the Chinese do not appear to have a very nice ear for the perception of true rhymes; these, however, are not confined to regular verse, being very apparent in a species of composition between prose and poetry, in which the rhyme is repeated at the end of lines of indeterminate length.

The last feature noticed in the construction of Chinese verse is peculiarly interesting, as exhibiting a coincidence between it and the poetry of the Hebrews. This is the property treated of at some length by Bishop Lowth in his Dissertation on Hebrew Poetry, and called by him parallelism, or the correspondence of one verse or line with another. Examples of this feature in Chinese poetical composition are adduced by Mr. Davis, and in no other language could it be carried to such a height.

With the consideration of this part of the subject Mr. Davis closed his remarks on Chinese versification; the second portion of the essay will be read at a future meeting.

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May 16.—The general meeting of the Society was held this day at 2 o'clock; Sir George Thomas Staunton, Bart., M.P., Vice President, in the chair.

Among the donations presented were the following:

From Sir G. T. Staunton, Bart., a work in Chinese, containing a series of wood engravings, representing the fêtes and rejoicings which took place at Peking in the year 1790, upon the occasion of the then emperor's attaining his 80th year. From Baron Silvestre de Sacy, his *Anthologie Grammaticale Arabe* and *Notices et Extraits de divers MSS. Arabes*. From the Rev. Dr. Buckland, his Account of the Fossil Remains brought from Ava by Mr. Crawford. From the Imperial Ministry for Foreign Affairs, St. Petersburg, a Russian translation in MS. of Vachtang's Collection of Georgian Laws, and a Russian translation of the Chinese Code of Laws for Mongolia. Other donations by Baron Schilling de Canstadt; Dr. Mall, of Munich; Professor C. F. Neumann (who was present at the meeting); and Lieut. J. E. Alexander, were laid on the table.

The Lord Bishop of Calcutta was elected a non-resident member of the Society; and Colonel Duer Broughton and Archibald Leslie, Esq. were elected resident members.

Colonel Vans Kennedy, Judge Advocate-general, Bombay, being proposed as a member of the Bombay branch for admission into this Society, was immediately balloted for, and elected a non-resident member.

M. Théologue, a foreign member of the Society, read a short paper to the meeting.

M. Théologue's communication treated upon the Mewlevis, or dancing dervishes of the East. After a few preliminary observations upon the design of the esoteric institutions of antiquity, M. Théologue proceeds to enlarge upon the religious institution denominated *Mewlevis* (مولوی), a description of dervishes or anchorets. The candidates for admission must reside 1,001 days in the interior of the convent, without approaching the outside; they must recite prayers, conformably to their doctrine, at stated hours, by night as well as day; and repeat the sacred words *ya mewla*, signifying, "O my God!" assisted by a chaplet containing 101 beads, at least 1000 times a day, in addition to which they are required to perform the most laborious and menial offices, in testimony of their resignation and humility.

Their poetical and musical studies are next treated of, as well as their peculiar

liar postures, the meaning of all which, as well as of certain signs in use among them, is briefly explained. They are kindly disposed towards their fellow men, and, when in company with Christians, do not scruple to eat and drink meats and liquors forbidden by the Mahomedan religion, such as pork and wine.

The paper concludes with a description of their weekly exercises, such as turning round on one leg, &c., their writings, and ordinary costume.

The next general meeting of the Society stands for the 20th of June; but it was mentioned from the chair, that the members would be specially invited for the 30th instant, to meet the subscribers to the Oriental Translation Fund their anniversary having been fixed for that day, on which occasion His Royal Highness the Duke of Sussex would preside.

His Excellency the Neapolitan Ambassador was present at this meeting.

### PARLIAMENTARY PAPERS.

A collection of papers laid before the House of Commons on the 2d April 1829, and ordered to be printed, contains the correspondence between the government and the proprietors of plantations in the neighbourhood of Bencoolen, respecting compensation for losses sustained by them on the surrender of that settlement to the King of the Netherlands. Of this correspondence, the following is a faithful summary.

A letter from Mr. Courtenay, secretary to the Board of Control, dated 30th Nov. 1826, addressed to Mr. Herries, of the Treasury, states that several representations had been received from the Commissioners on this subject, which had been maturely considered by the Board, and that the President had communicated thereupon with the Earl of Liverpool, the Chancellor of the Exchequer, and Mr Secretary Canning. The Board were of opinion that those persons who had actually sustained loss, or material depreciation of property by the transfer in question, had a reasonable claim upon the liberality of the state, except where the depreciation arose from the discontinuance of some advantage the grant of which was entirely gratuitous. The difficulty of estimating, upon these principles, exactly the loss of the planters, together or individually, was, however, so great, that a fair compromise was all that could be expected from government. Upon the basis of a valuation of every separate property, made in 1821, the Board are of opinion that one-half of that valuation, or £40,000 sterling, would be a reasonable and liberal compensation. A moiety of this sum, *i. e.* £20,000, it had been agreed by the Court of Directors of the East-India Company, was to be paid by that body, and the other moiety by the Crown. The Board recommend that a committee of three persons, one a member of the Board, acting gratuitously, should be appointed to receive claims and proofs of proprietorship; and the Court of Directors had offered £500 as their proportion of the expense of this arrangement.

Mr. Hill, the secretary of the Treasury (16th Dec. 1826), in return, states that their Lordships would submit to Parliament a vote for this object.

On the 28th March 1829, another letter from the India Board to the Treasury refers to further representations from the Bencoolen proprietors; which state that, by a valuation in the year 1825, immediately after the cession, this property appeared to have greatly increased in value since 1821; that the loss of their property had been total, and that therefore the sum of £40,000 would be a very inadequate compensation, even on the principle which had governed it. The Board observe, in reply to this statement, that a reconsideration of the subject, after the receipt of the valuation of 1825, by the late president of the Board (Mr. C. W. W. Wynn), had not afforded him sufficient reason to justify the recommendation of an increase of the sum originally proposed; because several of the cases, to which the proprietors attributed a part of the depreciation of their property, might have occurred had the cession never taken place; because several circumstances, of which the continuance could not be reasonably

expected, had tended to swell the apparent value of the property; and because the valuation of 1821 seemed to be in one material respect more entitled to credit than that of 1825, as it was made when there was no individual interest to overstate its amount. The Board could not, therefore, recede from their opinion expressed in 1826, except so far as to leave it to the consideration of the Treasury whether interest on the sum should not be granted, from the date at which the compensation was fixed.

The proprietors, in a memorial to the India Board, dated 9th February last, state that they are compelled, from the aggravated and increasing distress of many of the parties interested, to receive the sum tendered, though they again argue its total insufficiency to meet the hardships of the case, or to realize the just expectations entertained from the declaration of a minister of the Crown in Parliament, that "wherever loss could be shewn, indemnity should follow." They add that they had offered the fullest proofs of the general ruin to property at Bencoolen, which followed the transfer of the colony: the fixed property of the place, now valueless, and to which alone the remuneration will extend, amounts to nearly four times the sum offered; and if property of another description, equally affected by the transfer, be taken into view, the losses of one individual alone (Mr. Baskett) were well known to exceed the amount offered for general distribution.

The sum proposed to Parliament is £22,500, clear of fees and all other deductions.

#### WRITERS, CADETS, &c.—(April 1829.)

##### Chaplains sent out to India.

Years.	Bengal.	Madras.	Bombay.	Total.
1826.....	6	2	2	10
1827.....	4	2	1	7
1828.....	4	none	none	4

##### Writers sent out to India.

Years.	Bengal.	Madras.	Bombay.	Prince of Wales' Island, Singapore, and Malacca.	Total.
1826 .....	43	12	7	3	65
1827 .....	41	10	12	1	64
1828 .....	47	11	16	3	77

Number who have passed their Examination under 7 Geo. IV. c. 56. :—Bengal, 25  
Madras, 5; Bombay, 7; Total, 37.

Cadets sent out to India by the East-India Company, and the Number that have been sent from the Military Seminary at Addiscombe.

Years.	Bengal.	Madras.	Bombay.	Seminary.	Total.
1826 .....	177	164	53	33	427
1827 .....	120	123	76	52	371
1828 .....	145	72	72	68	357

##### Assistant Surgeons sent out to India.

Years.	Bengal.	Madras.	Bombay.	Total.
1826.....	56	13	8	77
1827.....	24	17	29	70
1828.....	25	17	17	59

## VARIETIES.

## ASIATIC SOCIETY OF CALCUTTA.

A meeting of the Physical Committee of this Society took place on the 24th December; Sir Edward Ryan, the president, took the chair.

In a paper on the fertilizing principle of the Hooghly inundations, Mr. Piddington, as far as relates to that river, denies the validity of a generally received opinion, that vegetable decomposition, in various stages, is the fertilizing principle of the great tropical rivers. This Mr. Piddington predicates from the following details, abridged from a paper presented to the Agricultural Society.

"It is well known, that while the tracts within reach of the inundation preserve their original fertility, the higher soils are gradually and rapidly impoverishing, and this to a degree of which few, who have not made the subject one of attention, are aware; there are some crops which cannot be repeated, unless at intervals of three or four years; while on the low lands these are the only ones which are taken for a period beyond the memory of man. Indigo is a striking instance and the most familiar one of what is here advanced; and it was with a view to some improvement in the cultivation of this plant that the following analysis was instituted.

"Portions of the silt (or mud deposited by the inundations) were procured from Bansbariah, near Sokh Saugor, and from Mohutpore, near Kissinnuggur: the analysis of each gave in 200 parts:

	Silt from Bansbariah.	Silt from Mohutpore.
Water .....	2 ...	2
Saline matters (mostly muriate of potass) .....	0½ ...	0½
Vegetable matter de- structible by heat...	4½ ...	5½
Carbonate of lime ...	12½ ...	16½
Phosphate of lime...	0 ...	1
Sulphate of lime...	0 ...	0
Oxyde of iron.....	12 ...	12
Silex .....	156 ...	139
Alumina .....	6½ ...	14½
	183½ ...	180½
Loss.....	6½ ...	3½
	200	200

"The very unlooked-for circumstance of only two-and-a-half per cent. of vegetable matter being found in these specimens, appeared almost to exclude the idea that this was the fertilising principle, or at least that it could be exclusively so; while on the other hand from six to eight

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per cent. of calcareous matter appearing in them, when, in an extensive series of analyses of the higher soils, this was always found remarkably deficient (seldom more than 0.75 to 1 per cent.), pointed to the conclusion that the calcareous matter was perhaps the great agent; and, in as far as regards indigo, this was found, by experiment, to be the fact; for a minute portion of lime was found to increase the produce upwards of 50 per cent. The details of the agricultural experiment I omit, as foreign to our pursuits.

"In considering further this subject, it occurred that lime might probably exist in solution amongst the rich mud on which the seed is sown as the waters recede, and this was found to be the case; a quantity of it taken at the moment of the subsidence of the waters being procured, it was found that the drainings from this were highly charged with carbonic acid gas, and that lime was held in solution by it: a fact which throws perhaps some light on the phenomena of the formation of Kunkur."

Another paper of Mr. Piddington, on the soil in which cinchona grows, is interesting, no less in a scientific point of view, than as suggesting a new channel for commercial and agricultural enterprise.

The history of the genus *cinchona*, or tree producing the Peruvian bark, is not yet altogether freed from the ambiguity which has so long involved it; and, although much has been effected by the industry of the Spanish botanists, whom their government sent out to make inquiries concerning it, yet many species remain undescribed, from which it is supposed probable that the bark-gatherers collect some part of the large cargoes which are annually sent to Europe.

Although there are twenty-four described species, three only are generally known in Europe and kept in the shops. The tree producing the pale bark is found in the mountains of Quito and Santa Fé, at heights of about 7,000 feet, where the mean temperature varies between fifty and sixty-two degrees, in a bottom generally of micaceous schist. It is a lofty handsome tree, always in leaf, from thirty to forty feet in height, and standing generally single; whereas most of the other species are found in groups.

The tree yielding the red bark grows on the Andes, in great abundance, on the banks of the mountain streams. It rises to a very considerable height, on a single erect round stem.

The tree affording the yellow bark is found on the mountains of Loxa, in the kingdom



kingdom of Quito, and that of Santa Fé, growing along their skirts and on the plains, under the fourth degree of north latitude. It is a spreading tree, rising on a single round stem of no great thickness.

Mr. Piddington's attention was called to the subject, upon which his short paper treated, by a label which he found attached to one of the specimens of a collection of minerals from Peru, sent to the vice-president of the Physical Committee, stating "that it was taken from a rock found in the neighbourhood of Guallaza Sierra of San Christoval, a league and a half from north to south, and of a considerable altitude. The western slope has not a single bark (cinchona) tree, and the opposite side is covered with them. They grow on this sort of rock, which is covered with their leaves to the depth of three-quarters of a yard.

"Looking," observes Mr. Piddington, "to the probability, that this valuable tree may one day become an article of culture, both in India and Australia, perhaps even in Europe, it appeared likely that an analysis of the rock might prove not an unacceptable document among the Society's records.

"It proved to be upon examination a decomposing granular dolomit, the exterior of which was friable while the interior was perfectly compact."

100 Grains were found to consist of:—

Water .....	} 2.06
Silicious, with some trace of vegetable matter (from the outside,).....	
Carbonate of lime.....	0.62
Carbonate of lime.....	46.00
Carbonate of magnesia.....	51.00
Loss .....	0.32
	<hr/> 100.00

*Remarks.*—In a mineralogical point of view it is remarkable, that the proportion of carbonate of magnesia far exceeds that found in those analysed in Europe, which are published in Jameson; but it is a striking physical fact, that the cinchona, the most valuable material product of the vegetable kingdom, should be found to flourish on a soil so utterly destructive to every other useful product that we are acquainted with: a beautiful instance, added to those which science is hourly disclosing, of the beneficent economy of the universe.

A paper on the origin of aerolites, by Dr. Butter, was then read.

Dr. Butter commences his paper on aerolites, by referring to the two classes of theories: one assigning to them a source within the earth, or its atmosphere. Of the former, the only two he considers deserving of notice is that of La Place, who supposes them to be projected from lunar volcanoes; and that of Dr. Brew-

ster, which attributes to meteoric stones a common origin with the four asteroids, Juno, Vesta, Ceres, and Pallas; namely, the explosion of a planet interposed between the orbits of Mars and Jupiter.

Of the hypotheses, which give a sub-lunary origin to meteoric stones, the one most generally received is, that which supposes them to have been thrown from terrestrial volcanoes.

Dr. Butter objects to the theory of La Place, on the grounds that the postulates, with which it commences, are not reasonable nor likely; viz. the non-existence of a lunar atmosphere, and the possibility of a stone being thrown from the moon's surface with the initial velocity of a mile and a half in a second. "Is it possible that the irregular crater of a volcano, or any other fortuitous disposition of matter, similar in tenacity to a friable aerolite, could eject, with the assumed velocity, and in a compact form, a mass, whether fluid or solid, of such slight cohesion?" The first effect of an explosive force, equal to that assumed by La Place, Dr. Butter conceives would be to burst the lunar planet asunder. This theory also fails to account for the luminous appearances and explosive noise, which attend the fall of aerolites, nor does it determine the cause of their ignited and superficially oxidated state. Dr. Brewster's theory, though highly ingenious, and free from the objections which beset, *in limine*, the hypothesis of La Place, appears, he considers, equally deficient in accounting for the circumstances just alluded to. To account for them, Dr. Brewster can adduce only the most inadequate surmise, that they "are struck by the electric fluid," although it is in evidence that very many of those bodies have fallen when there was not a cloud in the sky, and when, consequently, no electrical agency could be excited.

The hypothesis founded on terrestrial volcanic projection he considers it unnecessary to waste two words on, it being now almost generally abandoned by philosophers.

After a careful examination of all the known circumstances connected with the phenomena of aerolites, Dr. Butter considers that their concurrence justifies a strong suspicion, that the fall of meteoric stones is wholly a *magnetic phenomenon*; and falling stars may be considered as coming under the same description.

The following extracts will give a general idea of Dr. Butter's hypothesis, giving meteoric stones a mundane origin.

"It cannot be doubted that all solids, as well as fluids, on the earth's surface, are in a state of continual evaporation. It is true that, from the extreme slowness with which solids evaporate, it is impossible to collect and exhibit the quantity

quantity of matter which they throw off in a limited time.

"It is a recently discovered acrostatic law, that on a general view, the specific gravity of vapours is directly as the volatility of the bodies from which they are derived. The earths and metals do, in assuming gaseous forms, become lighter than any other gases under similar pressure and temperature.

"It will follow that the highest regions of the air consist of gaseous metals and earths, or their inflammable bases, of which silicon, aluminum, and iron, the chief constituents of the globe, may with probability be supposed the most abundant, and the origin of the materials of meteoric stones is so far accounted for.

"Supposing the existence of strata of gaseous metals resting on the surface of the earth's atmosphere, at that unascertained height where the ultimate indivisibility of its atoms forbids its further expansion into space, what would be the consequence if any given volume, say a cubic mile, of this compound gaseous mass were, by any cause sufficient to overcome the air's resistance and to preserve the mass from too great dispersion, to be precipitated to the depths of the aerial ocean on which it had previously floated?

"In descending, its bulk would be gradually diminished, and its heterogeneous atoms approximated to one another, by the increasing pressure of the atmosphere, till that degree of proximity would be attained at which dissimilar atoms, having a powerful affinity for each other, would begin to enter into combinations. In this case, supposing the gaseous mass to consist of the usual elements of meteoric stones, the first combination which would take place would be the union of the atoms of silicon, aluminum, calcium, and magnesium, with the oxygenous atoms of the air. The particles of iron, nickel, chrome, cobalt, and sulphur, not having so strong an affinity for oxygen, would be confusedly enveloped in the fluid strong mass, and, while it continued in a liquid state, would have an opportunity of becoming respectively oxygenated, by the force of cohesive attraction, into small homogeneous masses, the sulphur here and there uniting with the iron, and the earthy matters entering into a crystallization, more or less hasty and imperfect, in proportion to the rapidity of solidification, which the quick abstraction of heat by the atmosphere would occasion. The acts of condensation and combination would be accompanied by the *evolution of a considerable quantity of latent light and heat, and terminated by a loud explosion*, occasioned by the sudden collapse of the surrounding atmosphere; in short a blaze of

light would be seen, and the condensed mass would appear in a fluid state and at a white heat;" &c. and "when we consider that the earth itself is a stupendous magnet, that the *aurora*, darting from its polar regions, have a direct reference to its magnetic poles, agitate the magnetic needle, and are therefore almost certainly magnetic phenomena, it will be difficult to withhold our belief in the existence of an influence exerted by magnetism over the temperate and equatorial regions of the air, although probably from the excessive flatness of the aerial spheroid, and the consequent great altitude of those regions, the view of similar appearances is denied to the inhabitants of those latitudes. Admitting this, and reflecting how powerfully the kindred energies of electricity and galvanism control chemical affinity, we may easily be led to to conceive *magnetism* to be capable of precipitating into the lower regions of the air independent portions of its higher strata, in the manner required by the hypothesis," &c.

The strongest point in the hypothesis, Dr. Butter considers to be that of *fifty-two* substances, which, in the present state of chemistry, are considered as simple or elementary, only *four* are amenable to the laws of magnetism; meteoric stones are found to consist of ten elements, *among which are included the four magnetic bodies*—iron, nickel, chrome, and cobalt; "and, as for the remaining six substances, five of them—silicium, aluminum, calcium, magnesium, and sulphur, are, perhaps, the most abundant constituents of the solid globe, and therefore the most likely (by the hypothesis) to abound in those elevated regions; and the sixth, oxygen, is derived from the atmosphere itself."

The next paper was on the geology of the valley of Oudeypoor, by Mr. Hardie.

Mr. Hardie commences his paper with the remark, that the geology of India, generally speaking, appears simple, as there are comparatively few formations, and those well defined, and their features on a grand scale. What is called the valley of Oudeypoor is not, properly speaking, a *valley*, but a series of small rounded hills, rising from an elevated plain, which is surrounded by hills of a higher altitude. The average elevation of the valley, as it is called, is about 2,000 feet above the level of the sea, and the higher hills rise from 5 to 800 feet above the level of the plain. The circumference of the valley is between forty and fifty miles, and the ghats (five or six) are difficult, and only three of them passable for wheel carriages. Within the bounds of the valley are several lakes, and the city stands on an elevated ridge of rocks, which is skirted by

by the Puchola lake, in which are several small islands, covered with marble buildings, shaded by orange, coco, and cypress trees; forming altogether a most romantic landscape.

Mr. Hardie next gives a description of the soil, and enters into a speculation at considerable length on the subject of kunker formation.

The term *kunker* is applied to an imperfect rock formation very extensively distributed through Hindoostan. It is a name, however, which is used very loosely by natives, and is probably given to a great many distinct formations and rocks, the only connexion between which is, that all are used in the manufacture of lime."

The more common aspect of the kunker of Meywar and the Oudeypoor valley is that of a calcareo-argillaceous rock, containing an immense number of imbedded masses, of various different formations, varying in size from that of a pea to a foot or a foot and a half in diameter.

That the kunker formation is of aqueous origin, Mr. Hardie entertains no doubt of. The water-worn appearance of its imbedded masses, the nature and constitution of the rock, all, he thinks, lead to this conclusion. He has observed it, too, to be a general rule, that where the kunker occurs in the higher hills, its imbedded masses are much smaller than where the said kunker occupies a lower situation. In short, a consideration of all the circumstances inclines Mr. Hardie to the supposition, that the kunker formation was deposited by a flood, which passed rapidly over the country where it is found; and that it is owing to this circumstance alone that we do not find it forming regular strata.

The Mewar kunker contains very few organic remains. Indeed, only in one situation had Mr. Hardie been able to discover any traces of them. In the instance in question, fragments of shells occurred in a very ferruginous kunker of a very compact texture towards the centre of the valley. One of the fragments might, he conceives, have belonged to a *mytilus*.

In the supplement to his first paper, Mr. Hardie states, that near the foot of Chectore, the kunker assumes the aspect of a chalky rock, and the chalk formation being considered as wanting in India, he is disposed to think that this approach to it is *accidental*, and by no means similar to the chalk formations of England and the continent of Europe. It is rather, he conceives, a cretaceous marl, and occurs in an unstratified bed of very inconsiderable extent, overlying the limestone, in which the neighbourhood abounds.—*Cal. Gov. Gaz.*

A meeting of the Society took place on the 7th Jan.; Sir C. E. Grey in the chair.

Amongst the members proposed at this meeting were the following native gentlemen: Baboo Prasanna Kumar Thakur, Baboo Dwarkanath Thakur, Baboo Swachandra Das, Baboo Rasamaye Dutt, Baboo Ramkomal Sen.

It was unanimously resolved, that honorary members be in future proposed only by the Committee of Papers, members of the Society not of the committee, communicating their recommendation of an individual, as an honorary member to the committee, either directly or through the secretary: the committee not to be expected to assign any reasons should they not see cause to make the nomination.

Amongst the donations was a copy of the *Koran*, recently printed in Calcutta, with an interlinear version in Hindustani.

The circumstance of the *Koran* being recently printed in Calcutta, and a copy of it presented to a public institution, is rather remarkable, considering the repugnance that Mahomedans have hitherto generally evinced towards the promulgation of their scriptures among people not of their creed. It is also an interesting fact, as evincing the decline of prejudice, if not a degree of more liberal feeling on the subject; and it is to be hoped that the work, being thus rendered more accessible, may have a beneficial effect in a moral and literary point of view, serving as a greater stimulus to the acquirement of reading and writing on the part of the lower classes of Muslims.—*Ibid.*

#### MEDICAL AND PHYSICAL SOCIETY OF CALCUTTA.

At a meeting of this Society held on the 6th December, a paper by Dr. Vos, on the use of chloride of lime, as a disinfectant, in India, with cases illustrating its agency, and a paper by Dr. Wise on the pathology of the blood-vessels, were read and discussed.

In his situation of police surgeon, ever since its introduction to this country, Dr. Vos has had a number of opportunities of proving the efficacy of chloride of lime as a disinfectant, in the examination, external and internal, of dead bodies. Should the body be in an offensive state, he dissolves twelve ounces of the chloride in sixteen quarts of water, which is freely sprinkled over the surface. When the stage of decomposition is still further advanced, Dr. Vos follows the plan prescribed in Europe, of enveloping the body in cloth wetted in the solution of chloride. A member remarked, in course of the discussion which arose on the paper, that the use of the chloride of soda had been of signal benefit in a bad case of dysentery.

Phlébitis, or inflammation of the veins, as following the common operation of bleeding

bleeding in the arm, is thus described by Dr. Wise. It is ushered in by an uneasiness in the orifice, which continues a few hours; the lips of the wound are open and swelled; the course of the inflamed vein is marked by increased sensibility, and there is a red streak and cordlike feel over it. The inflammation then extends over the whole limb, and a peculiar feeling of fluctuation succeeds. Shivering fits come on early, succeeded by intense heat of skin and the more violent symptoms of fever. Much debility is the consequence, and a patient will sometimes remain in this state for twelve or more days, when he will suddenly and unexpectedly expire. Cases illustrating the several sources of the disease were adverted to, and the *post mortem* appearances minutely described and illustrated by drawings. The form of the malady acquired from wounds in the dissecting-room, was pointed out, and the peculiarity of constitution upon which it depends.

For the cure of phlebitis most energetic practice is required. The general treatment is to be antiphlogistic, with such local applications (fomentations for instance) as may be necessary. Wines and all stimulants of course to be strictly avoided. When much swelling is present, Mr. Wise considers deep incisions into the affected part useful.—*Ibid.*

#### BOMBAY LITERARY SOCIETY.

A meeting of this Society took place at their rooms on the 31st Dec., the Rev. Thomas Carr presiding, when a new code of regulations, which had been submitted at the annual general meeting in November, and had since lain on the table for inspection, was brought up, read, and adopted with some slight variations. The only new clause upon which there appeared any material division of opinion, was one which provided for the closing of the rooms on Sundays. After a short debate the question was put to the vote, and decided by a show of hands in the affirmative.

The secretary read a letter from Mr. Bax, the secretary to government, forwarding a highly interesting narrative by Dr. James Burnes, surgeon to the Booj residency, of a visit to the amceers of Scind. Dr. Burnes has had an opportunity, which no European officer ever enjoyed before, of being intimately acquainted with their highnesses the amceers, and while at their capital took considerable pains to learn something of their characters and habits. In his narrative he also communicates many interesting particulars regarding the singularly constituted court of Hyderabad. Mr. Burnes' paper was accompanied by a very well executed and minute sketch of his route through Scind and Cutch.

The election of office bearers for the present year, which took place at the annual meeting, was then confirmed, Captain George Jervis retaining, at the particular desire of the Society, the office of secretary, of which he had recently tendered his resignation.—*Bom. Cour.*

#### CHINESE COMPOSITION.

The following is a translation (given in the *Canton Register*) of part of a successful essay, which won the prize at a late literary examination in China. It affords a good specimen of Chinese reasoning; but the excellence of these productions, in the estimation of the judges, depends greatly upon the phraseology, and upon a certain quibbling on the terms of the theme, which cannot of course be preserved in a translation.

The theme is part of a sentence uttered by Confucius, with reference to the extensive knowledge possessed by the ancient monarch Shun, who flourished about B. C. 2000, and who, with his predecessor Yaou, is esteemed by the Chinese as a pattern of every perfection, and an example to succeeding times. The meaning of the sentence quoted below seems, according to the commentators, to imply that Shun was accustomed to collect the sentiments of all, however opposite, to compare them, and avoiding the extremes, to choose the just medium in all the acts of his government.

#### Theme.

*Chih he leang twan; yang he chung yu min.\**

#### Essay.

"He who takes hold of the extremes, and seeks for the medium, may employ it in the government of the people. The good to be derived from the two extremes is found in the medium; let these be grasped and it selected. Then thereby govern the people, and all will be right. I have often read, in the books of the ancient Yu, 'Man's heart is dangerous; reason's heart is subtle. But let the investigation be made with purity of intention, and principles maintained with singleness of motive; then the dangerous will be safe; the subtle without excess or defect; and faith will hold fast the medium.'

"To grasp the medium, it is first necessary that there exist something to be grasped. Comparison of, and scrutiny into, what is said, is necessary, to attain pure discrimination. Then, that the medium has been attained, will be manifest in practice, and the acts of government throughout the world will be uniformly obeyed.

"The medium involves sameness of principle; but in the sameness differences must

\* Literally: "grasped the two ends; used the middle to the people."

must be distinguished; and in the differences their sameness considered, then the principles which have a general sameness will be found; in this consists the renovating glory of great principles. Unless this course be adopted, the good that is promulgated will not accord with the feeling of mankind, and then, how can it be manifested in practice? Who does not know that, unless the medium be preserved, even that which is good cannot be carried into practice? Hence he who would employ the medium, must first, with good advice, divide the two extremes; and to select the medium it is necessary to employ that which is grasped between the two extremes.

"In the medium there is union; the extremes are divided; but unless the divided extremes be grasped, there will be no means of making the union apparent. A comparison being made of suggestions which are severally right, the more or less weighty will eventually be manifest, and all will be reduced to those principles which are perfectly right: the core will be opened up, and one uniform line applied to all. From the differences agreement will be obtained, and subtle accuracy of the discriminating judgment be manifest."

#### RELIGION IN CHINA.

The state in China may be said rather to tolerate religion than to establish it. The state tolerates Laoukeunism and Buddhism, with a little unproselytizing Mahomedanism; but endows none of the three. Confucianism is not religion; it is merely a system of ethics, and petty etiquette. Christianity is the only religion that is interdicted by the state, and by popular feeling; for it gives no quarter to idols; it does not sanction concubinage; it denies human merit. But while the Chinese priesthood is unendowed, there is, in a lower sense, a state religion. The magistrates of China are the priests of the state, and they offer incense without fee. The monasteries of China are often, *pro tempore*, converted into lodging and eating-houses. At the temple, vulgarly called "the Honam Jos-house," the monks will condescend to give a dinner even to a Fankwei, "foreign devil," of the European race. But, of course, they expect a remuneration for the same. The officers of government, individually, are occasionally perfect zealots for the national religion. At Macao, there have of late been great doings in behalf of her majesty the Queen of Heaven; and these doings were originated by the port admiral, who commenced the subscription by £100; it increased to 11,000 dollars. Public officers, hong merchants, rice-mongers, house-builders, small grocers, farmers, gardeners, &c. men, women, and children, all emulated

each other in behalf of the Queen of Heaven. Her ladyship's temple on the rocky promontory at Bar-fort has, from the ruins of dilapidated brick, risen afresh in a new and imposing front of granite. Her ladyship's old image, not more than a foot high, has been consumed by fire, and a new one, on the same scale, substituted. Up, by winding romantic steps, to the top of the hill, district gods, divine stones, &c. are fantastically arranged, till on a huge rock, at the summit, there appear, in large characters, engraven in the stone, and lines painted red, the words *Tae-yih*, "The Great One." But whether that first cause be physical or intelligent, their philosophers have not yet decided. On the day appointed for the dedication of her ladyship's image, and also of the various other divinities concerned, the committee of building and repairs printed a paper, inviting the gods and goddesses to return to their statues, when the eye of the image should be vivified by the touch of blood. Thus in China they vivify stocks and stones.

After this dedication had taken place, all sorts and conditions of men, women, and children, for eight or ten days successively, crowded in procession, with gongs, drums, cymbals, lute, &c. sounding; streamers, flags, &c. waving; rushing on, broiling in the sun, to offer incense to the Queen of Heaven. Goats, pigs, pastry, fruit, flowers, and wine, were collected by all hands, and afterwards carried in this noisy procession to her ladyship's new built abode. Young women, dressed in court style, were carried on tables as nymphs of the forest. Boys and girls rode on horseback to the palace of the queen. This Queen of Heaven was, according to tradition, about 600 years ago, a young woman named Jin, in the province of Fokien. Late accounts from Nanking state, that the emperor has deified another virgin, who, during the Sung dynasty, having spent her fortune on an embankment to keep out the tide from a certain district, which, when nearly completed, was carried away by an influx from the sea, she with grief and vexation threw herself into the current and was drowned. But the inhabitants, who have cherished the tradition, have of late begun to sacrifice her, when distressed by similar occurrences as that which caused her death; and they declare to the local government, that they have, at such times, seen luminous appearances which indicated the presence of a divinity. The governor, Tscang, late of Canton, has reported this affair to his majesty, and obtained an imperial patent to allow the people to erect a temple and pay her divine honours. On such occasions superstition impels the people to "Javish money out of the bag" with great profusion.—*Canton Reg.* Jan., 3.

## ASIATIC INTELLIGENCE.

## Calcutta.

## GOVERNMENT GENERAL ORDERS.

## RE-OCCUPATION OF MHOW.

*Fort William, Dec. 13, 1828.*—Under instructions from the Hon. the Court of Directors, the Right Hon. the Governor General in Council has resolved to re-occupy the station of Mhow with a detachment of troops belonging to the Bengal presidency; the Bombay force at present stationed there will be relieved as early as practicable, by the following detail: one troop of horse artillery, one company European foot artillery, one regiment of native cavalry, three regiments of native infantry, and a company of pioneers, with establishments and staff for the force and station, on a scale which will be communicated to the proper departments, and in conformity with instructions which will be furnished to his Excellency the Commander-in-chief in India.

2. On the arrival at Mhow of such part of the relieving force as may be deemed adequate to the duties of the place, the whole of the Bombay troops will proceed to such stations within the limits of their own presidency as may be indicated by the military authorities at Bombay.

3. The officer in command of the above-mentioned portion of the relieving force will, under the orders of the Commander-in-chief, arrange with the commanding officer of the relieved troops for receiving charge of all public buildings, barrack, and European hospital furniture, and medical stores in dépôt, in the condition in which they may be found on regular survey, and under such instructions as may be furnished by the military and medical boards respectively and by heads of departments.

4. No camp equipage, nor doolies, nor any articles of regimental or artillery field equipment are to be included in this transfer.

5. His Exc. the Commander-in-chief is requested to make the necessary dispositions for the allotment and march of the troops destined to occupy the station of Mhow, to the command of which an officer will hereafter be nominated by government.

## ALLOWANCES TO GARRISON SURGEONS.

*Fort William, Dec. 13, 1828.*—With reference to the 10th paragraph of General Orders of the 29th ult., the Right Hon. the Governor General in Council has resolved that in lieu of medicine allow-

ance and all other allowances of every denomination (regimental pay, batta, gratuity, and tentage, or house-rent excepted) at present received by the under-mentioned garrison surgeons, the following monthly staff salaries affixed opposite their respective designations shall be drawn by them from the 1st proximo.

Gar. surg., Fort William..... St.Rs. 500

Ditto ... Chunar ..... 400

Ditto ... Allahabad ..... 400

Ditto ... Agra, including charge

of med. dépôt, &c. in that garr. 600

All professional duties at present performed by the above-mentioned medical officers, in virtue of the appointments held by them of garrison surgeons, shall continue to be performed by those gentlemen respectively, to whom staff salaries have now been assigned, in lieu of staff, medicine, and all other contingent allowances heretofore received by them.

His Lordship in Council has further resolved, that the assistant garrison surgeons at Monghyr and Buxar respectively shall draw from the 1st proximo, in lieu of the medicine allowances at present received by them on account of invalids, European and native, and all establishments under their charge (the insane hospital at the former, and the stud department at the latter, excepted) the difference between the batta of lieutenant and that of captain, with thirty rupees a month for a palanquin.

## ALLOWANCES OF ABSENT GENERAL OFFICERS.

*Fort William, Dec. 13, 1828.*—The following extract (paragraphs 33 to 35) from a military letter to the government of Fort St. George, dated the 7th March 1828, having been declared by the Hon. the Court of Directors, equally applicable to the presidency of Bengal, the Right Hon. the Governor General in Council is pleased to direct the publication of the same in general orders:—

Par. 33. "In the case of a general officer obtaining leave to proceed to sea on sick certificate, it becomes necessary to fill his place by a temporary appointment, and we are of opinion that 1,050 rupees a month, the amount of the table allowance attached to the command of the southern division, as stated by your military auditor general, ought to be deducted from the allowances of the absent general officer and given to the officer appointed to act for him during his sick leave. We desire that this may be considered to be the rule that is hereafter to guide cases similar to Gen. Pritzer's.

34. "The same principles ought, in our opinion, to be applied to the case of an aid-de-camp who obtains leave to accompany the general officer to whom he is attached.

35. "We therefore direct that the staff allowance of aid-de-camp be discontinued during such absence."

#### BOUNTY TO FOREIGNERS.

*Fort William, Dec. 19, 1828.*—The Governor General in Council deems it expedient to cancel the General Orders of the 25th July 1812, authorizing a bounty of sixty-four rupees to foreigners who may enlist in the Hon. Company's artillery or infantry for a term of five years.

#### ABSENCE OF OFFICERS ON STAFF EMPLOY.

*Fort William, Dec. 28, 1828.*—It appearing that some doubts are entertained regarding the intention of General Orders of the 17th August and 8th December 1827, regulating the number of officers permitted to be absent from regiments of the line on staff or other permanent employ, the Governor General in Council directs, that in cases where an officer may hold an effective staff situation, to which he is eligible both as captain and subaltern, he is not to be considered as disqualified for his appointment on promotion to a company, though two captains, one of whom officiating in a situation which renders him liable to removal, should already be absent from his regiment; in this case the officiating officer, and not the one newly promoted, would be required to join his corps.

#### COURTS-MARTIAL.

##### LIEUT. N. MACDONALD.

*Head-Quarters, Camp Meerut, Nov. 26, 1828.*—At a European general court-martial re-assembled at Cawnpore, on the 4th Oct. 1828, of which Lieut. Col. P. T. Comyn, of the 24th regt. N.I., is president, Lieut. Norman Macdonald, of the 9th regt. Light Cavalry, was arraigned on the following charges:—

*Charges.*—1st. With having, at Cawnpore, on or about the 27th Feb. 1828, pledged his word of honour to an officer, recently arrived at the station, to desist from paying attention to his wife, and falsely assuring that officer that he (Lieut. Macdonald) was totally ignorant that his attentions had been noticed, and that his attentions had been most honourable, "although he (Lieut. Macdonald) had, on or about the 30th of the same month, extorted a promise from the wife of the officer to leave her husband, and place herself under his (Lieut. Macdonald's) protection," and having, subsequently to the promise made by him (Lieut. Macdonald) to the officer, that he would cease

from paying his wife any attention, continued to address letters "privately" to her.

2d. With having, at Cawnpore, on or about the 10th March 1828, in order to escape the consequences which might result from a public investigation into his conduct, applied for, and obtained, leave to proceed to the presidency, with the repeatedly avowed intention, and under a promise to resign the service of the Hon. Company; and with having, on or about the 19th of August 1828, in violation of the promise he had given, and in abuse of the indulgent consideration, which, in consequence of that promise, he had experienced, rejoined his regiment at Cawnpore; he (Lieut. Macdonald) having, subsequently to his arrival at the presidency, in a letter dated June 7, 1828, addressed to Major Roberts and officers of the 9th Light Cavalry, and couched in the most abject terms, declaring himself fully sensible, that to be permitted, after his misconduct, to remain upon the strength of the regiment was more than he deserved or could expect.

3d. With having, at Cawnpore, on or about the end of January, or beginning of Feb. 1828, solicited Lieut. Bambrick, of H.M.'s 11th Light Dragoons, to engage the silversmith of that regiment to make up for him (Lieut. Macdonald) a pair of silver scales, and, after Lieut. Bambrick had, in compliance with his request, procured and sent to him the scales he desired, having, on or about the beginning of April 1828, quitted Cawnpore, with the avowed intention of not rejoining his regiment, without having paid the cost of the scales, though repeatedly applied to for the same by the silversmith, or taken any measures for the liquidation of the debt; in consequence of which, the sum due for the scales (forty-five rupees) was paid by Major Roberts, commanding the 9th Light Cavalry.

4th. With having, at Cawnpore, during the month of March 1828, submitted to various indignities and threats of personal chastisement, and suffered the most insulting language and opprobrious epithets to be addressed to him, by an officer in his Majesty's 11th Light Dragoons, in the presence and hearing of an officer of the 2d Bombay Light Cavalry, charging him with duplicity and total want of principle, without having taken any immediate notice of the same, or adopted any steps to clear his character; and, with having demeaned himself by, and conveying to the officer by whom he had been so insulted, a letter or letters, acknowledging the justice of the reproaches and treatment he experienced from him, and confessing his own unworthiness, and his having forfeited his character as a gentleman.

5. With having quitted Cawnpore on

or about the beginning of April 1828, with the avowed intention of resigning the service, without having paid a balance due on account of the purchase of a watch from Lieut. Phillips, 42d regt. N.I., and without restoring the watch, or holding any communication on the subject of the debt with Lieut. Phillips, either by letter or otherwise, or making any arrangement with him for the payment of the balance due, which remained unpaid until yesterday, the 23d Sept. 1828.

6th. With having, when he quitted Cawnpore, at the time and with the avowed intention before stated, left unpaid a number of small debts to servants and tradespeople, amounting to Sonat Rupees 706 or thereabouts, without making any adequate provision for their payment, in consequence of which a balance of Sonat Rupees 240 or thereabouts still remains due, after the division among the claimants, in a rateable proportion, of a sum of money stopped from arrears of pay coming to Lieut. Macdonald, and ordered to be appropriated to the liquidation of their claims.

Such conduct being unbecoming and disgraceful to the character of an officer and a gentleman.

Upon which charges the court came to the following decision :

*Finding.*—The court having deliberated on the evidence before them, are of opinion that on the 1st charge the prisoner, Lieut. N. Macdonald, 9th regt. L.C., is guilty of "with having, at Cawnpore, on or about the 27th Feb. 1828, pledged his word of honour to an officer recently arrived at the station, to desist from paying attention to his wife, and falsely assuring that officer that he (Lieut. Macdonald) was totally ignorant that his attentions had been noticed, and that his attentions had been most honourable; and having subsequently to the promise made by him (Lieut. Macdonald) to the officer, that he would cease from paying his wife any attention, continued to address letters to her," but acquit him of the remaining parts of the charge.

That the prisoner is guilty of the 2d charge.

That the prisoner is guilty of the 3d charge.

That the prisoner is guilty of the 4th charge.

That on the 5th charge the prisoner is guilty of "with having quitted Cawnpore, about the beginning of April 1828, with the avowed intention to resign the service, without having paid a balance due on account of the purchase of a watch from Lieut. Phillips, 42d regt. N.I., and without restoring the watch, which (balance) remained unpaid until yesterday, the 23d Sept. 1828," but acquit him of the remaining part of the charge.

*Asiatic Journ.* Vol. 27. No. 162.

That the prisoner is guilty of the 6th charge.

With respect to the 3d, 5th, and 6th charges, although the court have found the prisoner guilty of them, they do not attach any fraudulent intention to the prisoner, or any intention to evade the ultimate payment of his debts; and further, the court attribute to the prisoner's so suddenly and unexpectedly leaving the station, under peculiar circumstances, his not having made immediate arrangements towards the adjustment of his debts; and with regard to the 5th charge, the court are of opinion that the prisoner did endeavour to make an arrangement through his relative and friend Lieut. Nicolson, which it appears that Lieut. Phillips would have considered perfectly satisfactory.

*Sentence.*—The court having found the prisoner guilty of the 2d, 3d, 4th, and 6th charges, as also of part and parts of the 1st and 5th charges, and the same being in breach of the Articles of War, do sentence him the prisoner, Lieut. N. Macdonald, 9th regt. L.C., to be dismissed the service.

Confirmed,

(Signed) COMBERMER,  
General, Com.-in-chief.

Remarks by the Right Hon. the Commander-in-chief.

In confirming the sentence justly pronounced by this court-martial, the Commander-in-chief deems it necessary to observe, with reference to the finding upon the 3d, 5th, and 6th charges, that the court do not appear to have sufficiently attended to the distinction which exists between finding a prisoner "guilty" of the charge preferred against him, and finding that certain facts alleged in the charge are proved; but, that under the circumstances of the case, the criminality inferred in the charge does not attach to such facts. From a want of attention to this distinction, the finding of the court assumes an appearance of inconsistency.

With reference to the 3d charge his Lordship observes, to prevent misconception, that although the money due for the scales was paid by Major Roberts, it was paid out of arrears of pay due to Lieut. Macdonald. The finding of the court upon the three charges referred to, qualified as it subsequently is, seems tantamount to an acquittal; and the Commander-in-chief further remarks, that the pecuniary transactions referred to in the 5th and 6th charges, should not have been made the subject of a criminal accusation against Lieut. Macdonald.

Lieut. Macdonald is to be struck off the strength of the army, from the date on which this order may be published at Cawnpore, and will proceed without delay



lay to Fort William; on his arrival there the town-major will be pleased to take the necessary steps for providing Mr. Macdonald with a passage to England.

By order of his Exc. the Commander-in-chief,

C. FAGAN, Adj. Gen. of the Army.

MAJOR G. M. GREVILLE.

*Head-Quarters, Camp Meerut, Nov. 26, 1828.*—At a general court-martial assembled at Fort William on the 24th October, and continued by adjournments to the 6th November 1828, Major G. M. Greville, major of brigade King's troops, was arraigned and charged as follows:—

With conduct unbecoming the character of an officer and a gentleman in the following instances, viz.

*Count 1st.*—Having in a series of letters,\* published on the 2d, 3d, 5th, and 6th of May 1828, in the *Bengal Hurkaru* newspaper, and addressed to the editor thereof, used towards, submitted to, and retorted upon, Mr. Longueville Clarke, barrister of Calcutta, insulting expressions, of a nature to affect deeply the character of any gentleman.

2d. Having, in a letter, accompanied by extracts from letters written to Major Greville, by Mr. Clarke, published in the *Bengal Hurkaru* newspaper, of May 2, 1828, wilfully misrepresented the conduct of Mr. Clarke, inferring that that gentleman had been guilty of a breach of promise made by him to Major Greville, in a letter dated 27th January 1828, and had violated the confidence reposed in him by Major Greville, and which he (Mr. Clarke) was bound to respect.

3d. Having in the second paragraph of a letter, dated 13th June 1828, and addressed to Mr. Clarke, knowingly made a misrepresentation, in falsely stating, "I also begged he (my informer) would intimate to Mr. Henderson my readiness, now that I was aware of Mr. Clarke's sentiments, to afford the satisfaction such an intimation seemed to imply." Whereas the gentleman referred to in the said paragraph, as Major Greville's "informer," (Capt. Courtenay, of H. M.'s 59th regt. of Foot) was never "begged" or authorized by Major Greville to make to Mr. Henderson an intimation to the effect stated.

Upon which charge the court came to the following decision:—

*Finding.*—The court, having maturely weighed and considered the evidence on the part of the prosecution and of the defence, are of opinion, with respect to the 1st count of the charge, that Major Greville is guilty of conduct unbecoming the character of an officer and a gentleman, in having, in letters published on the 3d and 6th of May 1828, in the *Bengal Hurkaru* newspaper, and addressed to the edi-

tor thereof, submitted to, from Mr. Longueville Clarke, barrister of Calcutta, insulting expressions, of a nature to affect deeply the character of any gentleman; but the court acquit him of the remainder of the count.

With respect to the 2d and 3d count of the charge, the court are of opinion that Major Greville is not guilty, and do therefore acquit him.

*Sentence.*—The court, having found Major Greville guilty of so much of the first count as is above expressed, do adjudge him to be severely reprimanded, in such manner as his Exc. the Commander-in-chief may be pleased to direct.

Not Approved,

(Signed) COMBERMERE,  
General, Com.-in-chief.

Remarks by the Right Hon. the Commander-in-chief.

It is with much concern, that the Commander-in-chief feels himself compelled to withhold his approval from the proceeding of this court-martial; a court-martial from the members of which, considering their rank in the service, his Lordship had a right to expect confidently a correct discharge of the important duty which they were summoned to perform: the sentence pronounced by the court upon Major Greville is utterly irreconcilable with their finding upon the first count of the charge.

His Lordship cannot suppose it possible that the members of this court-martial consider a reprimand, how severe soever, to be an adequate sentence upon any officer who may have been guilty of conduct unbecoming the character of an officer and a gentleman. To admit this would be to cast a deep stain upon the unsullied character of the honourable profession to which they belong.

The only conclusion at which his Lordship can arrive is this, that the court, under the circumstances apparent in evidence, although they consider Major Greville to have been guilty of improper behaviour, yet did not consider such behaviour to be unbecoming the character of an officer and a gentleman; but that they did notwithstanding, with a very reprehensible inattention, retain in their finding the precise term by which the whole alleged misconduct of Major Greville is characterized in the charge preferred against him.

With this view of the judgment pronounced by the court (and it is only thus that it can be regarded by the Commander-in-chief), his Lordship dismisses the proceedings, deeply regretting that they should ever have been submitted to him in so unsatisfactory a form.

His Lordship trusts that the result of this trial, such as it is, will make so serious an

\* See vol. xxvi. p. 726.

an impression upon Major Greville, as to guard him effectually for the future from the commission of any impropriety of behaviour affecting his character as an officer.

Major Greville will be released from arrest, and resume the duties of brigade-major King's troops at Fort William, until the arrival of Major Bristow.

The foregoing order is to be entered in the General Order-Book, and read at the head of every regiment in H.M.'s service in India.

By order of the Commander-in-chief,  
WILLOUGHBY COTTON,  
Adj. Gen. H.M.'s forces in India.

LIEUT. J. G. CAMPBELL.

*Head-Quarters, Camp Tigree, Dec. 1, 1828.*—At a European general court-martial, assembled at Agra on the 8th Nov. 1828, of which Lieut. Col. W. W. Davis, of the 18th regt. N.I., is president, 2d-Lieut. J. G. Campbell, of artillery, was arraigned on the following charge:—

*Charge.*—2d-Lieut. J. G. Campbell, 3d bat. artillery regiment, placed in arrest for conduct unbecoming the character of an officer and a gentleman, in the following instances:—

1st. In having at Agra, on the 30th day of Sept. 1828, gone to the quarters of Lieut. C. H. Burt, 64th regt. N.I., between the hours of ten and eleven p.m., after that officer had retired to bed, and then and there, during a dispute which ensued, having struck with his horsewhip, and grossly abused, the said Lieut. Burt.

2d. In having, at the same time and place, abused in gross and outrageous language some sepoy, on duty as a night guard, at Lieut. Burt's quarters.

Upon which charge the court came to the following decision:—

*Finding and Sentence.*—The court, having maturely weighed and considered all that has been adduced in support of the prosecution, as well as what has been brought forward on the defence, are of opinion that the prisoner is guilty of the whole and every part of the charge preferred against him, and the same being in breach of the Articles of War, they do therefore sentence him, 2d-Lieut. J. G. Campbell, of the artillery regiment, to be discharged the service.

Approved,  
(Signed) COMMERMERE,  
General, Com.-in-Chief.

Remarks by the Right Hon. the Commander-in-chief.

In consideration of the youth and inexperience of the prisoner, the contrition expressed by him, and at the recommendation of the court, the Commander-in-chief, upon the condition that Lieut. Campbell shall make a full and public apology to Lieut. Burt, is pleased to

commute the sentence by which Lieut. Campbell has been justly deprived of his commission, to the loss of a portion of his regimental rank; and accordingly directs that Lieut. Campbell, after making the required apology, shall take rank in his regiment next below 2d-Lieut. A. T. Browne, thereby losing eighteen steps; his regimental rank to bear date 14th Oct. 1827.

The Commander-in-chief desires the commanding officer of the 18th regt. N.I. to apprise Ensign Wallace, of the same regiment, that the questionable character of his evidence upon this trial has excited his Lordship's serious displeasure.

By order of his Exc. the Commander-in-chief,

C. FAGAN, Adj. Gen. of the Army.

LIEUT. W. KREFTING.

*Head-Quarters, Camp, left Bank of the Ganges, Dec. 1, 1828.*—At a general court-martial assembled at Dinapore, on the 23d Oct. 1828, Lieut. W. Krefting, of H.M.'s 13th Light Inf., was arraigned on the under-mentioned charge:—

*Charge.*—Lieut. Wm. Krefting, of H.M.'s 13th (Light Inf.) regiment of Foot, placed in arrest and charged as follows:—

With having at Dinapore, on the 12th June 1828, when under examination as a witness before a European general court-martial, assembled for the trial of Lieut. Edward Keily, of H.M.'s 13th (Light Inf.) regt. of Foot, grossly equivocated and given false testimony; first, in falsely asserting that he never did, about the time specified in the charge against Lieut. Keily, hear that officer make use of expressions tending to reflect on the conduct or character of Lieut. Moorhouse, as an officer and a gentleman; and secondly, in falsely asserting that he did not know any thing relative to the charge which he had just heard read, thereby wilfully endeavouring to deceive the court and prevent the course of justice. Such conduct being scandalous and infamous, unbecoming the character of an officer and a gentleman, and highly prejudicial to good order and military discipline.

Upon which the court came to the following decision:

*Finding and Sentence.*—The court, having maturely weighed and considered the evidence adduced on the prosecution, together with what the prisoner has urged in his defence, are of opinion that he is guilty of the whole and every part of the charge alleged against him, and do therefore sentence him, the said Lieut. Wm. Krefting, of H.M.'s 13th (Light Inf.) regt. of Foot, to be discharged the service.

Approved and confirmed,  
(Signed) COMMERMERE,  
General, Com.-in-Chief.  
Tho

The foregoing order is to be entered in the General Order-book, and read at the head of every regiment in his Majesty's service in India.

By order of the Commander-in-chief,  
WILLOUGHBY COTTON,  
Adj. Gen. H.M.'s Forces in India.

LIEUT. E. RUSHWORTH.

*Head-Quarters, Camp Moradabad, Dec. 5, 1828.*—At a European general court-martial assembled at Agra, on the 8th Nov. 1828, of which Lieut. Col. W. W. Davis, of the 18th regt. N.I., is president, Lieut. Edward Rushworth, of the H.C.'s 2d European regiment, was arraigned on the following charges:—

*Charges.* 1st. For having, while in attendance as a witness at a special court of inquiry held at Agra, on the 2d day of Oct. 1828, and being ordered by the president of the court to retire from before it, hesitated to do so till the order was again repeated, and after he did withdraw, having remained within hearing of the witness who was at that time giving his evidence.

2d. For having on the same occasion, when the interpreter to the court, by direction of the president, came to him (Lieut. Rushworth) with an order, and stated that he had been desired by the president of the court to do so, replied, "then I wish to have nothing to say to you," or words to that effect, and walked away without waiting to hear what the order was.

Such conduct being highly disrespectful and insubordinate, unofficer-like, and in breach of the Articles of War.

Upon which charges the court came to the following decision:

*Finding.*—The court, having maturely weighed and considered what has been adduced in support of the prosecution, as well as what has been brought forward on the defence, do find the prisoner Lieut. Edw. Rushworth, 2d European regiment, guilty of the 1st charge; guilty of the 2d charge, with the exception of the word "then," which does not appear to the court sufficiently proved. The court also find the prisoner guilty of conduct highly disrespectful, insubordinate, unofficer-like, and in breach of the Articles or War.

*Sentence.*—The court do therefore sentence the prisoner, the said Lieut. E. Rushworth, 2d European regiment, to be suspended from rank, pay, and allowances, for the space of two calendar months.

Approved,  
(Signed) COMBERMERE,  
General, Com.-in-chief.

Remarks by the Right Hon. the Commander-in-chief.

Lieut. Rushworth having urged in his defence, that he has a wife and family depen-

dant upon him for support, and that he is labouring under some pecuniary difficulties, the Commander-in-chief is pleased to remit the sentence awarded by the court, the full infliction of which would be a just punishment for the disrespectful conduct of which this officer has been found guilty.

It is, however, to be distinctly understood that the circumstances urged by Lieut. Rushworth cannot be regarded by his Lordship as affording valid grounds upon which to rest a plea for the mitigation of punishment; and Lieut. Rushworth is reminded, that the claims of his family should operate upon him as a strong incentive to a steady perseverance in a correct line of conduct.

By order of his Exc. the Com.-in-chief,  
C. FAGAN, Adj. Gen. of the Army.

LIEUT. W. H. W. MIDFORD.—2D-LIEUT. J. G. CAMPBELL.

*Head-Quarters, Camp Bhind, Dec. 29, 1828.*—In continuation of the proceedings of a European general court-martial assembled at Agra, on the 8th Nov. 1828, of which Lieut. Col. W. W. Davis, of the 18th regt. N.I., is president, Lieut. William Herbert Wood Midford, of the 2d European Regiment, was arraigned on the following charges:—

*Charge.*—With conduct highly insubordinate, and prejudicial to good order and military discipline, in the following instances, &c.

1st. In not having mounted regimental quarter guard on the 8th of Oct. 1828, although warned for that duty in regimental orders of the preceding day, and subsequently directed, officially, on the 8th of October, by the adjutant of the regiment, to proceed to take the duty.

2. In having written to the adjutant of the regiment a note, dated 7th, and received by that officer on the morning of the 8th of Oct. 1828, stating his (Lieut. Midford's) determination not to do any more duty, and containing other expressions to the same purport, and having personally declared to the adjutant (who waited upon him by order of the commanding officer of the regiment in consequence of the receipt of the above-mentioned note) that he (Lieut. Midford) would not do any more duty.

*Additional Charge.*—For conduct disgraceful to the character of an officer and a gentleman, and in direct violation of the Articles of War, in having, whilst under arrest, on the 24th day of Nov. 1828 (the day for which he had been previously warned to attend before a general court-martial to assemble for his trial), quitted the cantonments at Agra, and proceeded to the garden of Rambagh, on the opposite bank of the river Jumna, from which place he was brought back, on the afternoon or evening of the same day,

day, in charge of a party of soldiers sent to apprehend him.

Upon which charges the court came to the following decision:—

*Finding and Sentence.*—The court are of opinion that the prisoner is guilty of both counts of the charge, and that he is also guilty of the additional charge; and they do sentence him, Lieut. W. H. W. Midford, of the 2d European Regiment, to be cashiered.

Approved and confirmed,  
(Signed) COMBERMERE,  
General, Com.-in-chief.

In continuation of the proceedings of the same general court-martial, 2d-Lieut. John George Campbell, of the artillery regiment, was arraigned on the following charge:—

*Charge.*—With having, on the 24th of Nov. 1828, whilst under arrest, and awaiting the decision of the commander-in-chief upon the proceedings of a general court-martial, which had recently been held for his (Lieut. Campbell's) trial, quitted the cantonments at Agra, and proceeded to the garden of Rambagh, on the opposite bank of the river Jumna, where he was found in a state of intoxication, on the afternoon or evening of the same day, by a party of soldiers sent out to apprehend another officer.

Such conduct being disgraceful to the character of an officer and a gentleman, and in direct violation of the Articles of War.

Upon which charge the court came to the following decision:—

*Finding and Sentence.*—The court are of opinion that the prisoner is guilty of the whole of the charge preferred against him, and do therefore sentence him, 2d-Lieut. J. G. Campbell, of the artillery regiment, to be cashiered.

Approved and confirmed,  
(Signed) COMBERMERE,  
General, Com.-in-chief.

Lieut. Midford and 2d-Lieut. Campbell are to be struck off the strength of the army from the date on which this order may be published at Agra, and will proceed without delay to Fort William; on their arrival there, the Town Major will be pleased to take the necessary steps for providing Mr. Midford and Mr. Campbell with passage to England.

By order of his Exc. the Com.-in-chief,  
O. FAGAN, Adj. Gen. of the Army.

## CIVIL APPOINTMENTS.

### Judicial Department.

Nov. 21. Mr. Charles Tucker, third judge of Provincial Court of Appeal and Circuit for division of Dacca.

Dec. 10. Mr. J. W. Templer, judge and magistrate of city of Patna.

Mr. C. C. Jackson, register of civil court and assistant to magistrate of Jungle Mehals.

18. Mr. G. J. Morris, Judge and magistrate of district of Behar.

### Commercial Department.

Nov. 21. Mr. James Money, commercial resident at Cossimbazar.

Mr. Walter Nisbett, sub-export warehouse-keeper.

Mr. Colin Lindsay, secretary to Board of Trade.

### Territorial Department.

Dec. 10. Mr. Thomas Bruce, assistant to magistrate and to collector of Midnapore.

### Ecclesiastical Department.

Dec. 10. The Rev. Thomas Thomason, senior chaplain of Old Church.

## MILITARY APPOINTMENTS, PROMOTIONS, &c.

*Fort William, Dec. 11, 1828.*—Capt. J. Thompson, 6th N.I., to have temporary command of Purneah Prov. Bat., v. Watson app. to Stud establishment.

Capt. John Jervis, 5th N.I., to have temporary command of Dehly Prov. Bat., v. Hutchinson prom. to a regimental majority.

Lieut. Col. John Hay, 17th N.I., permitted, at his own request, to retire from service of Hon. Comp. ny, on pension of his rank.

Cadets of Infantry O. J. Youghusband and J. N. O'Halloran, admitted on establishment, and prom. to ensigns.

*Head-Quarters, Nov. 24, 1828.*—Lieut. E. F. Day to act as adj. to 7th bat. artillery, during absence of Lieut. Ludlow; dated 7th Nov.

Lieut. N. S. Nesbitt to officiate as interp. and qu. mast. to 22d N.I., until further orders; dated 5th Nov.

Nov. 25.—Lieut. J. S. Hodgson, 12th N.I., to act as adj. to Mhairwarrah Local Bat., from 25th Nov., during absence, on general leave, of Lieut. and Adj. Warren.

Cornet F. Baker removed from 6th to 9th L.C.

*Cornets posted to Regiments.* C. V. Bazett, 9th L.C.; Neemuch; V. F. T. Turner, 1st do., Muttra; Edw. Tayler, 5th do., Muttra; Wm. Baker, 2d do., Kurnaul; Math. Lushington, 1st do., Muttra.

Cornet C. Atkinson to do duty with 4th L.C. at Muttra, until further orders.

*Fort William, Dec. 13.*—Cadet of Engineers G. Casement admitted on establishment, and prom. to 1st-lieut.

Cadets of Infantry E. H. Showers and J. S. Harris admitted on establishment, and prom. to ensigns.

Mr. Geo. Anderson admitted on establishment as an assist. surgeon.

Dec. 19.—Lieut. Col. J. Bryant, judge adv. gen., directed to resume charge of his office at presidency.

Cadet of Engineers J. R. Oldfield admitted on establishment, and prom. to 1st-lieut.

Cadets of Infantry H. M. Becher and John Gibb admitted on establishment, and prom. to ensigns.

Col. McCreagh, H. M.'s 13th Foot, to be a brigadier on estab. for station of Berhampore, v. Ellington, whose regt. is under orders for Europe.

Lieut. W. H. Howard, 1st Europ. Regt., and Lieut. Arthur Wortham, 19th N.I., to be captains by brevet, from 17th and 18th Dec. 1828.

*Head-Quarters, Nov. 29.*—Lieut. Col. Com. W. Brookes (new prom.), posted to 41st N.I.

Lieut. Col. J. A. Hodgson (new prom.), posted to 42d N.I.

Lieut. Col. J. Ward, removed from 1st Europ. regt. to 26th N.I.

Lieut. Col. John Delamain, removed from 58th to 52d N.I.

Lieut.

Lieut. Col. W. Dunlop, removed from 52d N.I. to 1st Europ. Regt.

Lieut. W. H. R. Boland to act as adj. to left wing of 7th N.I. during its separation from head-quarters of regt.; dated 14th Nov.

Lieut. Col. Dawkins directed to re-assume his duties as an effective aide-de-camp from 5th July, and Lieut. Parker to become extra to establishment from same date.

Lieut. R. G. Roberts, commissary of ordnance, app. to Cawnpore magazine, and Capt. T. D'Oyly, deputy commissary of ordnance to Chunar magazine.

Ens. G. Tebbs removed from 12th to 33d N.I. as junior of his rank.

Ens. J. Coke removed, at his own request, from 59th to 10th N.I., as junior of his rank.

Dec. 2.—Lieut. A. Webster to officiate as interp. and qu. mast. to 43d N.I. during absence of Lieut., Interp., and Qu. Mast. Campbell, on medical certificate; dated 19th Nov.

Lieut. C. Brown to act as interp. and qu. mast. to 18th N.I. during indisposition of Lieut. and Acting Interp. and Qu. Mast. Price; dated 26th Nov.

Dec. 3.—*Removals and appointments of Surgeons.* J. Thomson, posted to 1st Europ. regt.; G. O. Jacob, 67th N.I.; G. Playfair, 62d do.; J. J. Paterson, 6th do.; J. Gordon, 9th do.; H. Cooper removed from 63d to 24th do.; R. Tytler, from 67th to 50th do.; E. Clarkson, from 47th to 49th do.; C. S. Curling, from 63d to 47th do.

Assist. Surg. D. Ramsay removed from 26th to 27th N.I.

Assist. Surg. H. Maclean appointed to 26th N.I.

Assist. Surg. J. Willan directed to do duty with 41st N.I.

Surg. Cooper directed to act as garrison surgeon at Chunar until arrival of Surg. Evans app. to that situation.

Dec. 4.—Lieut. C. Darby to act as adj. to left wing of 52d N.I. during its separation from head-quarters of regt.

Dec. 5.—*Artillery.* 1st-Lieut. C. Dallas to be adj. and qu. mast. to 2d bat., v. Garrett on furlough to Europe.

Dec. 6.—Ens. C. Davidson app. to do duty with 66-h instead of 49th N.I.

*Fort William, Dec. 26.*—Capt. L. N. Hull, 16th N.I., to be a sub-assist. com. gen., v. Capt. J. W. Hull proceeded to Europe on furlough.

Assist. Surg. John Colvin to perform medical duties of civil station of Goruckpore, v. Clark permitted to proceed to Europe on furlough.

Brigadier Alex. Duncan to have command of field force under orders to proceed from Bengal presidency for re-occupation of station of Mhow.

Lieut. G. Casement, corps of engineers, placed at disposal of Military Board for purpose of being employed under garrison engineer and executive officer of Fort William.

Lieut. Col. R. W. Baldock, 45th N.I., permitted, at his own request, to retire from service of Hon. Company on pension of his rank.

*Head-Quarters, Dec. 8.*—Ens. H. M. Barwell removed from 45th, and posted to 59th N.I.

Dec. 10.—Lieut. Col. G. D. Heathcote removed from 9th to 32d N.I.

Lieut. Col. J. Nesbitt removed from 32d to 9th N.I.

Assist. Surg. E. J. Yeatman app. to corps of sappers and miners, v. Warlow app. to civil station of Futtehpore.

Assist. Surg. J. Johnstone posted to 55th N.I.

*Ordnance Commissaries.* Mr. Deputy Commissary C. Bowman appointed to magazine at Cawnpore, and Mr. Deputy Commissary J. Edwards to arsenal of Fort William.

Dec. 13.—Lieut. H. C. Wilson to act as adj. to 25th N.I.; dated 15th Nov.

Ens. A. C. Rainey app. to do duty with 13th N.I. at Dinapore.

Ens. R. Y. B. Bush app. to do duty with 65th N.I. at Muttra, instead of 1st N.I., as formerly directed.

Dec. 15.—Lieut. G. T. Marshall to act as adj. to 35th N.I. during absence of Lieut. and Adj. Shell; dated 28th Nov.

Dec. 17.—Lieut. P. Hay to officiate as adj. to 42d N.I. during absence, on duty, of Lieut. and Adj. Campbell; dated 9th Oct.

*Fort William, Dec. 31.*—Assist. Surg. T. A. Wise appointed to medical duties of civil station of Hooghly, v. Craigle.

Assist. Surg. J. B. Dickson appointed to medical charge of civil station of Burdwan during absence of Assist. Surg. Coulter.

Jan. 2, 1829.—Capt. J. O. Clarkson, 42d N.I., app. to charge of invalids, &c. proceeding to Europe on H.C.'s ship *Marchioness of Ely*.

Major C. H. Glover, 35th N.I., permitted, at his own request, to retire from Hon. Company's service on pension of his rank.

Jan. 3.—Cadet of Infantry R. Deverell admitted on establishment, and prom. to ensign.

*Head-Quarters, Dec. 18.*—Lieut. R. W. Hogg to officiate as interp. and qu. mast. to 8th L.C., during absence of Lieut. and acting Interp. and Qu. Mast. Blair; dated 7th Dec.

Lieut. Col. R. Martin removed from 11th N.I. to 2d Europ. regt.

Lieut. Col. G. P. Baker removed from 2d Europ. regt. to 11th N.I.

Surg. R. Brown removed from 61st to 1st N.I.

Surg. A. Hall removed from 1st to 61st N.I.

Assist. Surg. W. Spencer appointed to 58th N.I., and to join left wing at Moradabad.

Assist. Surg. T. C. Elliot appointed to medical charge of 1st tr. 2d brig. of Horse Artillery.

Dec. 19.—Surg. W. Thomas to officiate as superintending surg. to presidency div. during absence of Mr. Todd.

Dec. 20.—Lieut. Col. W. Swinton removed from 68th to 57th N.I.

Lieut. Col. W. Wilson removed from 57th to 31st N.I.

Lieut. Col. S. P. Bishop posted to 68th N.I.

Major D. H. Heptinstall, 31st regt., appointed to charge of 57th N.I.

*Fort William, Jan. 9.*—9th L.C. Cornet W. B. Wemyss to be lieut. from 3d Dec. 1828, v. N. Macdonald struck off by sentence of court-martial.

25th N.I. Capt. H. Burncy to be major, Lieut. R. R. Margrave to be capt. of a comp., and Ens. J. R. Flower to be Lieut., from 23d Dec. 1828, in suc. to Davies dec.

Lieut. Col. John Smith, 19th N.I., permitted, at his own request, to retire from service of Hon. Company on pension of his rank.

*Head-Quarters, Dec. 23.*—Assist. Surgeons S. Holmes, R. Fullarton, and R. B. Cumberland, directed to proceed by water to Cawnpore, and to place themselves under orders of superintending surgeon.

Assist. Surg. C. Garbett app. to do duty with H.M.'s 49th regt.

Lieut. R. P. Alcock to act as adj. to left wing of 46th N.I. during its separation from head-quarters of regiment.

Ens. H. A. Cumberlege is, at his own request, removed from 43d, and posted as junior of his rank to 74th N.I.

Dec. 26.—Lieut. Interp. and Qu. Mast. F. Wheeler to act as adj., and Cornet J. S. G. Ryley to officiate as Interp. and qu. mast. to 2d L.C., during Lieut. and Adj. Lawrence's absence on leave.

*Returned to duty, from Europe.*—Lieut. Col. Com. J. W. Fast, 42d N.I.—Lieut. R. F. Macvittie, 49th N.I.—Capt. Jas. Craigie, 37th N.I.

#### His Majesty's Forces.

*Head-Quarters, Dec. 16, 1828.*—Capt. Altken, 13th L. Inf., to act as major of brigade to King's troops, Fort William; dated 30th Nov.

## FURLONGHS.

To Europe.—Dec. 11. Lieut. Col. Com. Wm. Croxton, 21st N.I., on private affairs.—Capt. Jas. Fraser, 2d L.C., on ditto.—Capt. G. R. Pemberton, 56th N.I., on ditto.—Lieut. F. Candy, 64th N.I., on ditto.—Lieut. Wm. Fraser, 61st N.I., for health.—13. Lieut. Col. Alex. Stewart, 4th N.I., for health.—Capt. W. W. Rees, 50th N.I., for health.—Maj. W. Bertram, 10th N.I., on private affairs.—Capt. J. W. Hall, 14th N.I., for health.—19. Capt. H. Morrison, 37th N.I., and assist. q. mast. gen. of army, on private affairs.—Capt. R. B. Wilson, regt. of artil., on private affairs (via Bombay).—Capt. Rob. Stewart, 61st N.I., for health.—1st Lieut. J. T. Lane, regt. of artil., for health.—1st Lieut. Jas. Alexander, regt. of artil., for health.—Lieut. John Hale, 7th N.I., for health.—Lieut. Jos. Biscoe, 40th N.I., for health.—Ens. A. Ramsay, 34th N.I., for health.—Assist. Surg. H. Clark, for health.—23. Lieut. Col. P. Starling, 21st N.I., on private affairs.—Lieut. Col. P. Le Fevre, 26th N.I., on ditto.—26. Lieut. Col. T. Wood, engineers, on ditto.—Capt. S. Moody, 7th N.I., on ditto.—Capt. C. Godley, 30th N.I., for health.—Lieut. K. F. Mackenzie, 64th N.I., for health.—Surg. T. Henderson, for health.—Assist. Surg. Jas. Johnston, for health.—Lieut. Edw. Vibart, 2d L.C., for one year, on private affairs.—31. Lieut. T. H. Scott, 31th N.I., for health.—Capt. J. O. Clarkson, 42d N.I., on private affairs.—Assist. Surg. J. Harber, for one year, on ditto.—Lieut. H. Fitz Simons, 29th N.I., for health.—Jan. 3. Brig. Gen. Jas. Price, of Inf., on private affairs.—Lieut. Col. Wm. Swinton, 47th N.I., ditto.—Capt. J. L. Jones, 5th N.I., for health.—Lieut. G. Maclean, artillery, for health.—9. Lieut. Col. H. E. G. Cooper, 63d N.I., for health.—Lieut. H. Garbett, artillery, for health.—Superintend. Surg. D. Dodd, on private affairs.—Surg. Edw. Muston, on ditto.

To Madras.—Dec. 19. Lieut. A. W. Tayler, 1st Europ. regt., for four months, on private affairs.—Jan. 9. Capt. Fred. Simpson, 55th N.I., for six months, on private affairs.

To Bombay.—Jan. 9. Lieut. A. Lermitt, adj. Mundaiair Local Bat., for four months, on private affairs.

To N. S. Wales.—Dec. 9. Lieut. Wm. Shaw, 52d N.I., for eighteen months, for health (via Isle of France).—10. Capt. A. Syme, 57th N.I., ditto, ditto (via ditto).—11. Lieut. Jas. Nunn, 21st N.I., ditto, ditto (via ditto).—Jan. 3. Surg. John Henderson, for two years, for health.

To Mauritius.—Dec. 9. Lieut. H. Paul, 66th N.I., for eight months, for health.

To Cape of Good Hope.—Dec. 13. Capt. H. Dwyer, 42d N.I., for eighteen months, for health.—26. Capt. T. A. Vanrenen, artillery, for two years, for health.—Lieut. J. H. Vanrenen, 25th N.I., for eighteen months, for health.—27. Lieut. D. Williams, 45th N.I., ditto, ditto.—Jan. 3. Assist. Surg. R. B. Francis, ditto, ditto.—9. Surg. Wm. Russell, for health (eventually to Europe).—Lieut. G. E. Cary, 15th N.I., ditto, ditto.—Capt. Wm. Davison, 1st Europ. regt., ditto, ditto.

## HIS MAJESTY'S FORCES.

To Europe.—Nov. 23. Ens. Thompson, 13th L. Inf., for health.—Lieut. Moorhouse, 13th do., for health.—Capt. Lynch, 14th Foot, for health.—Lieut. McCrea, 44th Foot, for health.—Brev. Capt. Minter, 45th Foot, for health.—Capt. Skinner, 31st Foot, on private affairs.—Capt. Forbes, 45th Foot, on ditto.—Lieut. Douglas, 16th Lancers, on private affairs.—16. Capt. Carmichael, 59th Foot, for health.—Lieut. Daniel, Queen's Royals, for health.—Surg. Duncan, Queen's Royals, for health.—Capt. Comer, 44th Foot, for purpose of taking charge of regimental depôt.—24. Lieut. Ward, 31st Foot, for health.—Lieut. Thomas, 13th L. Inf.—Capt. Spence, 31st Foot, for purpose of taking charge of regimental depôt.—Assist. Surg. Minty, 31st Foot, on private affairs.—Lieut. Browne, 44th Foot, on private affairs.—Assist. Surg. Stuart, 44th Foot, on ditto.

To Cape of Good Hope.—Dec. 24. Capt. Sutherland, 39th Foot, for eighteen months, for health.

## LAW.

## SUPREME COURT.

*The Advocate-General v. Wm. Morton and John Morgan.*

The following is the address to the Jury by the Chief Justice, which we were obliged to defer.

The Chief Justice prefaced his summing up with the following remarks:\*

"Whatever may have been, originally, the importance of the matters which are the subject of this prosecution, they have now become important from the length of time which the trial has occupied, the attention which it has excited, and the questions which are raised. By the concluding observations of the Advocate-General, as to the alarm which may be excited amongst the native population of the provinces by proceedings such as those of the defendant, I think myself called upon to say that I see no ground for apprehending, at present, any such consequence. No doubt, a large exercise of some of the powers with which this court is entrusted, might be the cause of much inconvenience; but you have it in evidence that the arrests, even of British persons, in the Mofussil, are few in number; and when you advert to the circumstances in which this court was established, and the extraordinary events which have since ensued, you will find no cause to blame any one, nor can you reasonably feel any surprise because of that possibility of inconvenience which exists. The English law was introduced into India at times when the British possessions in India were little more than factories, situated in foreign and independent territories: and this could scarcely have taken place at those times, had it not been for a modification of the European law of nations which is applicable to those factories only which are situated in that part of the world which, by the Europeans, is called the East. This peculiar rule was stated in 1802, in the case of the ship called *The Indian Chief*, by that great master of the law of nations, the present Lord Stowell; and it seems to amount to this, that the European nations have considered their eastern factories more as detached portions or outposts of the countries of those merchants to whom the factories have belonged, than as mere places of residence in foreign territories; so that all persons whatever who were resident within the factories, were regarded for the time in the character of subjects of the nation to which the factory belonged, not of the country in which it was situated. This anomaly had its origin, no doubt, in the extreme difference between the institutions

\* From an accurate report (probably from the pen of the Chief Justice) given, a few days after the trial, in the *Gov. Gazette*.

tutions of Christendom and the countries of the East, and in an apprehension of the inconvenience to which Europeans might have been subjected by the strange laws or unlawful violence of the people with whom they had to deal. In whatever way it arose, it has been an important modification of international law, and is the best key to the labyrinth of the Indian statutes. A consideration of the co-existence, under this rule, of British dominions in India, and of British factories in independent Indian territories, and of the subsequent and unforeseen extension of the British dominions from the sea to the Himalaya mountains, dissipates some confusion, and accounts for some distinctions which have been made between British subjects, subjects of the King, and persons in the service of the Honourable Company, or of other British subjects. No doubt, it must be felt in this court, that it has powers which were not expected at first to have so wide a range; and when, in rare instances, they are called into action at vast distances, all who have the management of them must be conscious that they may be at once ineffectual and inconvenient. But this is no cause for surprise: we ought rather to be surprised that what was called into existence in so different a state of circumstances, should be as well adapted as it is to the unforeseen and extraordinary changes which have taken place; and surely, in such cases, the proper course is, not to impute unmerited blame for what is unavoidable, but to arrange as well as we can the difficulties which arise. Nothing, as it seems to me, can be more erroneous, nothing, if I may use the expression in this place, can be in worse taste, than to consider the servants of the King and those of the corporate body to whom England owes almost entirely the splendid acquisition of the Indian territories, as, in any degree, conflicting authorities. We are all servants of the same government, though we may derive our appointments immediately from different parts of it. As far as my own experience extends, I am happy to say, that both in this court and in that in which I sat in another presidency, I have ever found that the government has been ready to afford all the support which the court could either require or expect; and I neither know nor apprehend any difficulties connected with the jurisdiction of this court, which may not be removed by the co-operation of the court and the government, or with very little assistance from the Legislature. If I were to blame any one for the present existence of inconveniences in the constitution of this court which are susceptible of removal, it perhaps would be myself rather than any one else that I should blame for having neglected to suggest the remedy. At Madras, where the court is of more recent establish-

ment than this is, the Sheriff cannot be called upon to execute any process beyond the limits of the jaghire; beyond those limits, the process is executed by persons specially appointed and under special directions. This practice, perhaps, might be introduced here, nor do I now, any more than when I first made the observation, see any good reason why there should not be an officer in every convenient division of the British territories throughout India who should be answerable for the execution of all legal process. I do not care whether he be called sheriff, or considered as an officer of this court; but for the execution of the process of every court of justice which is lawfully constituted, there ought to be, and might be, sufficient and responsible officers."

The learned Judge then proceeded to comment upon the case and the evidence.

There were many things he could not approve of in the conduct of Morton. He had voluminous accounts and transactions with Mehndy Ally Khan; these could not be settled by an action at law, but resort must be had to a court of equity. He could not approve of his conduct in arresting for a debt like this while such disputes were unsettled, even if he thought that a balance or debt was due to him. He had however some strong circumstances of irritation—he was a man ruined and distressed. The conduct of others also deserves remark and disapprobation. There was no reason for the Mofussil authorities to interfere. The release from arrest was undoubtedly illegal and without warrant. When in custody, the party could not be lawfully released in the manner adopted in this instance.

These charges resolved themselves into very simple ones. All apply to Morton. He must be a party.—Under the first head it is alleged that he conspired with Morgan or Bholanauth, or with one of them, to arrest without a just debt or jurisdiction. By the second it is alleged that he conspired to arrest for the purpose of extorting the bond. With one or other of those two individuals, Morton must be found conspiring.

The essential character of conspiracy is the combination of men's minds together in an illegal design. The essence of a conspiracy is the unlawful end, contrived by unlawful means. To illustrate the matter by the present case: if the object of Morton had been to get his claims referred to arbitration, though that was a lawful object, if he took out a false writ for that purpose, in consent with others, it is conspiracy. I hold it necessary to shew previous consent. It is not this or that overt act that constitutes the crime—the design is the crime. A party may come in after, and hence become a party to this crime; and that is the case charged against Morgan, who,

who, for aught that appears, had no knowledge at all of Lalloo Bolonauth.

First, of the charge of conspiracy to arrest without probable cause. As to Bolonauth, who was not seen subsequently to the arrest, it can hardly be said, that if the arrest was legal he conspired to detain illegally. At first he is stated to be a mere nonentity, but he is afterwards found to be a real person. What was likely to influence Lalloo Bolonauth's belief must be taken into consideration; whether he had such information as to lead him to the belief of a debt. To show conspiracy, the debt or jurisdiction was false.

First then as to the debt: the evidence as to this is, that in 1822 the firm sent up a bird-cage for approbation—this is not said as to the boat-pinnacle. Lollenauth says he saw the bird-cage at Morton's house; he had been employed to supply other articles before; he sends it to the Nawab's. But there is no evidence that it was from himself; the price had been allowed by the firm in Calcutta. It is said that it was allowed in the last instalments. But the house, then pressed for funds, took the private debt of Morton. But that did not extinguish it as a private debt. As to the pinnacle, if the Nawab could have treated it as a separate debt, why not the bird-cage also?

As to the set-off, Morton did not do right in arresting the Nawab. But the question is, whether he had a just right to do so. With regard to the set-off from the Persian bond, this bond is not like an English deed of that name—in this, the amount due to each is specified in the instrument. The payment of the interest seems to have been made on the whole sum to Mehndy Ally Khan, yet it only amounts to something more than for three quarters of the whole sum. Lollenauth swears the sum was given on a promise to pay over to Ramgopaul. This shews that Ramgopaul did consider it in some respect a joint instrument. Here it is desirable to determine the matter by Mahommedan law. Morton has set up a counter claim, but the evidence is very weak. It has been sworn that there were large claims on unsettled accounts. From the singular and conflicting testimony given during the trial, the jury cannot safely take into consideration what Lollenauth has sworn about a debt, or unsettled accounts.

In respect to the opium transaction, it could not form a subject of arrest in an action for goods sold and delivered. For the reason stated, it seems doubtful whether there was any debt for the bird-cage due to Morton at the time of the arrest, and 2dly whether the interest of the bond was a subject for a set-off.

Then as to the jurisdiction. The affidavit stated that the hakim had a house of business here, and a gomastah; if so, then

he was subject to the jurisdiction, and the arrest is not bad on that ground. What is the evidence on this particular? That Kerboloi in 1822 came down to Calcutta; that since 1824, at least, he has resided where he now resides; and that he has traded to large amount. Mr. Alexander believes it to be borrowed capital, and that he is here as agent for the Nawab. He is proved to have bought large sums in Company's paper in the names of the family of the Nawab. By the letters of the Nawab it appears that the premiums and interest on the Company's paper should be paid to Kerboloi, to be used for the payment of Sircars; it also appears that the house in which the Agra now lives was Mehndy Ally Khan's, although the date of the purchase has not been fixed. The house was bought for an emaubauk. In regard to the subject of the jurisdiction, we are bound by the charter to hold it as to the inhabitants of Calcutta. It is impossible to confine this to individuals. Till lately there was no process, but of the Supreme Court, in the town of Calcutta. When the rule is adopted, there is no remedy; therefore if a man is living at Ballygunge, or just outside the Maharatta ditch, he is not liable at all to whatever extent he might have traded or had goods in Calcutta. If the Nawab traded in Calcutta in 1825 and 1826, having a house of business here, he was subject to the jurisdiction.

But supposing there is neither debt nor jurisdiction, still if sufficient evidence exists of the guilty knowledge of the falsehood in both Morton and Bolonauth it would be enough. The means of knowledge was in the hands of both. You are satisfied that they had knowledge of the falsehood of this assertion. It has been the practice till of late for affidavits to be made by servants or gomastahs, when their principals are not present; and under such a practice it would be monstrous to hold a party liable criminally, as for wilful and corrupt perjury, if his affidavit be erroneous, unless he be wilfully mistaken. His Lordship here remarked, however, that it was extraordinary this man should have been employed when the party's brothers were both here. It is not satisfactorily proved that there was no probable cause for the first writ—Morton may have been advised to issue it for the equitable claims. All the circumstances of doubt as to Bolonauth, apply more forcibly to Morgan. It is not shewn he had previous knowledge of Mehndy Ally Khan, or of the debt or jurisdiction at all. Next to the charge that the object was to compel an arbitration and settlement of accounts—such an object may be laudable, but the means employed may amount to conspiracy. Had there been anything clearly illegal in what Morgan did—if he



had merely at the moment, from perverseness or the suggestion of Morton, refused to do his duty, it is doubtful if it amounted to conspiracy; and although some expressions may have fallen from him imprudently or wrongly, it would be too much to infer conspiracy. In this case the Sheriff had no right to take money without consent of the plaintiff. When bail is tendered, time must be granted to make inquiry; and in England it is held not an unreasonable time until he can communicate with the principal. This law under the charter was applied to the court; and by unforeseen events this law has come to be exercised under circumstances that render it a great inconvenience.

At the time of the charter, although there were some outlying factories, the Legislature contemplated a range of jurisdiction within a compact territory. But to judge of the plaintiff's acts, we must look at the law as applicable to this country in 1825 and 1826, and in the actual circumstances of the country. Morgan was not obliged to take the money; he was bound to take bail, but he might refer as to the bail to his friends in Calcutta; after taking bail or money, he had a right to detain until he had inquired whether there were any other detainer or not—even that gave him no perfect security. Morgan was not bound in law to accept the 6,000 rupees. He could not accept without the consent of the plaintiff; and though he was bound to accept bail he had a right to detain, and write down to Calcutta. If Morton thought he could obtain more than he had sworn to, he had a good right to refuse to release the hakim.

It is now nearly three years since this event happened, and the witnesses speak of precise words used. It is easy to imitate precise words. As to his stating that he would take him to Calcutta, it seems to have been first said on the Saturday evening; it might be said by way of threat, to compel the prisoner to consent to Morton's terms, or to get rid of the importunity of the people about. There seems to have been no serious intention of bringing the prisoner down to Calcutta; nay, Morgan is charged with having refused to take the prisoner there. The bailiff was placed in very difficult circumstances—he had in his custody a prisoner of great consequence and influence—all the officers of the station took a great interest in his case.

The Fort had certainly been mentioned, but the gentlemen of the Fort took a very lively interest in the matter (he did not impute blame to them for this); and when Capt. Fulton was questioned, he would not positively say that Col. Hickman would have suffered the bailiff to take him again from the Fort; he says he would himself have felt difficulty if Wright had claimed him. The jail, it is on all

hands agreed, would have been an improper place. As to the court-house, without wishing to make unpleasant observations, he must say, that he thought he would have been released immediately by those who had charge of it.

December 13.

Mariano Lewis, an East-Indian, was convicted of the murder of his wife, Isabella Lewis, alias Noona, on the 26th August. He confessed to the police that he had committed the act on account of her having "several husbands," and for "calling him fool." He was sentenced to be hung on the 20th.

December 20.

Hurochunder Ghose, a native of respectable connexions, was indicted for forging and counterfeiting some government securities.

The trial occupied the whole day. The defendant had a most unexceptionable character from respectable witnesses, Europeans and natives.

The jury were confined eight hours and a half before they could agree. At half-past three on the morning of the 21st (Sunday) they brought in a verdict of *not guilty*.

The defendant was afterwards tried on another indictment, for a similar offence, and also *acquitted*.

## MISCELLANEOUS.

### THE GOVERNOR-GENERAL.

The Governor-general left Calcutta for Malda on the 2d January, partly on a hunting expedition; but his journey seems connected with other objects, it being too early by two months for sporting in the Malda district; and his lordship did not intend to return to the presidency till the end of the month. It was his design to visit Purneah, Dinagore, and Rungpore. Sir E. Ryan and the remainder of the party were to take leave of his lordship at Malda and return to Calcutta. The party had not killed any tigers; but had had good sport in deer, hogs, partridge, chikora, &c., and two bull buffaloes, after a chase which afforded much sport; one fell pierced by ten or twelve balls, the other was shot through the head when preparing to charge the line of elephants. His lordship is stated to be an excellent shot.

It is stated in one of the Calcutta papers that the Governor-general intended visit to the eastward was for the purpose of yielding up to the ~~Burmese~~ the last instalment, as they were unable to pay it, for more advantages in trade.

The Hon. W. B. Bayley, embarked for Arracan and the Eastward, December 17.

## REFORM-COMMITTEES.

The civil committee, superintended by Mr. Bayley, is directed to enquire fully into the various branches of the civil expenditure, leaving untouched the constitution of government and the King's courts; the number of political residencies and agencies is also beyond its jurisdiction; but the subordinate offices, as to number and emolument, will be subjects of investigation. The commercial branch is also, it is said, reserved for special consideration; and the ecclesiastical department placed beyond the range of the labours of the committee, except as may respect the financial results it exhibits. The committee is charged to enquire into the arrangements in practice for the accommodation of public offices and the construction and repair of public buildings, the expense incurred for travelling charges and deputation allowances, and all items of contingent disbursement, with a view to imposing the most effectual checks on the waste of the public money, and simplifying and expediting adjustment of all claims. The emoluments of all officers, European and native, are to be subject to examination; the salaries of the overpaid to be reduced, those of the underpaid to be advanced, and the systems of the different presidencies to be compared, with a view of deciding one uniform system. The committee is authorized, we believe, to submit for consideration an entire new scale of allowances, if it should deem it necessary, and generally, to use a homely proverb, both committees are to see that "no cats are retained which do not catch mice." We understand that economy is recommended as a means of avoiding that sweeping reduction which necessity might otherwise call for—which necessity alone could justify. Consolidation of offices uselessly divided, is contemplated as one means of reduction. The committee is not expected to report on the means of improving the revenue and judicial administration generally; but if partial alterations suggest themselves as promising increase of the public receipts, or advantage to public convenience, it will be their province to submit such suggestions, we hear. The practicability of reducing provincial battalions, Najeeb and Sebundee corps, and irregular horse maintained for the use of civil officers, will also be matter of investigation. The two committees, we suppose, will be required to deliberate together on this point.

The military committee will decide on questions of military finance. The constitution of the Indian army is not placed within the range of their deliberations, nor its distributions generally; but if any changes occur to them with regard to the employment of the troops of the different presidencies at particular stations, they will

be expected to submit suggestions accordingly. They will have to revise the scale of pay and allowances of the several ranks in the different branches of the three armies,—the same with respect to the staff of each of these armies; they will be expected to keep in view the principle laid down for the guidance of the civil committee; to ascertain, as far as possible, how every man in the public service is employed, and how the Honorable Company's rupees are appropriated; they are to see that none of it be wasted on men or things of no profit to the state. The whole system of the commissariat is to be revised by them, the purchase, maintenance, and sale of horses, bullocks, elephants, &c. The whole of the stud department, cattle, farms, &c., agencies for the manufacture of gunpowder, gun carriages, &c.; construction and repair of public buildings, employment of troops in civil duties, escorts, guards, sentries, &c. The system of recruiting, discharging, pensioning, invaliding, &c. System of pay, and its allowance, &c. with a view to simplification and a speedy adjustment of claims. All the establishments, the military board, the auditors' and adjutant-general's departments, the medical board, the clothing board, Judge-Advocate's department, &c. Boat allowances, batta, rations of provisions, &c. will form subjects of report, with a view to uniformity and economy of system.

Penang is not, as we formerly intimated, invited to participate in these financial deliberations; and when we consider the heavy expenditure incurred for the government of this fourth presidency, and bear in mind the principal object for which these finance committees have been established, it is difficult to account for the omission upon any other grounds than that it is intended to recommend the lopping-off entirely that useless branch of expenditure. It will be observed, that these bodies are prohibited from deliberating on the constitution of government and the King's courts established by law, such weighty matter being reserved for higher authorities. The government of Penang is established by law, and we imagine that it is not in the power of the supreme authority here to terminate its existence *de jure*, although it might do so *de facto*, by withholding the supplies.—*Beng. Chron. Jan. 15.*

## SOCIETIES.

A fancy dress-ball, the first of the season, was held on the evening of the 18th of December, at the residence of A. Stirling, Esq. In general the parties collected in groups. One was formed from the *Abbot*, consisting of Queen Mary, Katherine Seymour, Sir Halbert Glendinning, Adam Woodcock, and the *Abbot*, with a well-dressed train of attendants. They were all classically attired, particu-  
larly

larly Sir Halbert, the Falconer, and the Abbot. The latter exhibited considerable and amusing address, in the rather unclerical skill with which he executed the whirls of a waltz. A very splendid group of Turks was also entitled to admiration; as was also a Swiss party, for the natural graces which so appropriately became a very becoming costume. The most effective groupe, however, was a party formed from the *Barbieri di Seviglia*, consisting of Rosina, Vespina, Count Almaviva, Figaro, and Don Bartolo. This party not only looked their characters, being dressed after the most approved models at home, but sang them in a most finished style. The most characteristic character in the room, however, was, decidedly, Hudibras: not only were his dress and accoutrements rigidly exact, but his look and speech were equally strict to his text. He harangued the company in the true Butlerian metre, with which he seemed to be inexhaustibly stocked. The company were received by the host, in the costume of the *villie cour*.

On the 5th of January, Mrs. J. W. Hogg gave a most splendid fancy dress-ball and masquerade. Five hundred cards had been issued, and about ten o'clock the rooms were full of company, who were received by a very characteristic group, consisting of the host and hostess, magnificently attired as Queen Elizabeth and the Earl of Leicester, with some friends as representatives of Sir Walter Raleigh, &c. Among the characters was a real ourang outang of Borneo, introduced by a personage, professing to be his sire, who repeated a jocosse copy of verses, intimating that his heir had come to take a lesson from men how best to humanize their nation. Other characters appeared in person, from the novels of Sir Walter Scott. One of the best characters was a Vaishnava Byragi, who sang several Hindue songs, especially the popular one of "Tazu-bu-Tazu," with great *gusto*. There was also *John Company*, in the shape of an old woman, complaining much of this country being so inconvenient to her health, as to give her no hopes of surviving 1833. Another masque, representing *Huff-Batta*, clothed in sackcloth after the newest cut, afforded infinite amusement.

On the 15th, the elegant house of Mrs. Innes was the scene of a splendid masquerade and fancy ball. The hostess, attired as Queen Anne, and seated on a throne near the head of the stairs, received her visitors in regal state. Her Majesty was arrayed in royal magnificence, and attended by two beef-eaters, armed with battle-axes. Among the masques, a *phrenologist* excited considerable mirth by the display of his proficiency in the science. He manipulated the craniums of several of the gay party, and some of his decisions seemed to strike his hearers as singularly

just. His own cranium was marked with the numbers of all the various organs. The Turkish admiral, whose ship was in the port of Calcutta, and one of his officers was present. On the whole, this is said to have been as brilliant and delightful a party as ever was seen in India. The number of tickets issued was 600.

#### TRADE WITH SYDNEY.

We understand that a gentleman at the presidency has proposed to a merchant at Sydney to purchase a ship, as their joint property, in order to establish a regular communication with that interesting colony, which is likely, we think, to become the retreat of many of our fellow countrymen here, with small fortunes and impaired health, in preference to Great Britain, where the interest of money is low, and the means of living with comfort exorbitantly dear.—*Beng. Chron.* Jan. 17.

#### MONEY MARKET.

We are again hearing complaints in every quarter of the scarcity of money—a state of matters which appears to have arisen when least expected, and which may therefore be fairly suspected of arising from some capricious source. It cannot, we think, be doubted, that the circulating medium required for the extended mercantile operations of the country, has not kept pace in abundance with the wants of the commercial and trading community. The obvious remedy is an enlargement of the privileges of the Bank of Bengal; or if, from particular circumstances connecting this establishment too closely with the Treasury, this is not to be expected, or, if obtained, might still be defeated, the establishment of a rival bank, on that broad foundation which the wants of the commercial world evidently demand, and which the available capital of the country would easily maintain, as obviously suggests itself.—*Cal. John Bull*, Jan. 3.

We are glad to hear that the operations of the Bhurtpore prize agents promise soon to give some relief to the money market. There exists, we believe, every disposition in the highest quarter of the state to afford every practicable facility to commercial operations; and to obviate, as far as possible, the obstacles that occasionally arise, under the existing system, to mercantile and money transactions. Amidst the projected changes and improvements in the various boards and other public departments of the state, we trust that attention will be given to the system under which the operations of the Bank of Bengal have hitherto been administered. The great extent and variety of interests, both general and individual, that are involved in all the transactions of this establishment, render it one to which the earliest

earliest attention should be paid ; a strict and impartial inquiry how far, under the very best management, the Bank of Bengal is adequate to supply the wants of the community, might lead to the adoption of those measures, in the enlargement of its capital and operations, which, by the best informed among us, are very loudly called for.—*Ibid.* Jan. 5.

## INDIGO.

Several sales have been reported in this, through the week, but chiefly in good consuming qualities ; the crop is not likely to exceed 90,000 maunds, of which there appears to be an unusually small proportion of really fine indigo. The following is a comparative statement of the import for five years, up to the 31st of December in each year, and the crop of each season :

Import.	Mds.	Mds.
Dec. 1824-25...	67,388.	Crop...1,10,705
1825-26...	88,334.	Do. ...1,43,231
1826-27...	43,311.	Do. ... 90,101
1827-28...	1,06,204.	Do. ...1,48,700
1828-29...	48,963.	Do.

*Cal. Pr. Curr.* Jan. 8.

## RACES.

The Calcutta races began on the 15th of December. The great Welter stakes on that day, as usual, excited great interest, and brought out all the best maiden horses. The favorites were Mr. North's b. a. h. *Intruder* and Mr. Williams's g. a. b. *Candidate*, which were backed freely, 3 to 1, against the winning horse, Mr. James's g. a. h. *Premium* ; the contest was severe and doubtful to the last, *Premium* winning by half a length.

An interesting race took place on the third day, for the Handicap sweepstakes, between *Premium*, Mr. Alexander's g. a. h. *Toil and Trouble*, and Mr. Majoribanks' b. a. h. *Ali Pacha*. This race is said to have been the best contested since the days of *Cannonade* and *Arabella* on the Calcutta turf. *Premium* won in 3m. 33s. by about half a length.

At the great Post match, on the 21st, a race between Capt. Mangles' English bloodhorse *Recruit* and Mr. Majoribanks' Cape-bred mare *Jilt*, created very general interest ; the former was of course by much the favourite. Three to one was offered and refused, and nothing less than 4 to 1 would latterly be taken. *Jilt* took the lead at a terrible pace, the English horse well held to her girth. At the Calcutta corner he took the lead, and had it all his own way afterwards, winning with great ease by two lengths, in 3m. 28s. This is another of the many proofs we have had, that no Cape or country-bred, however good, can contend against a real good English bloodhorse, the noblest animal of his species in the world.

## STEAM NAVIGATION.

At a meeting of the subscribers for the encouragement of steam navigation between England and India via the Cape of Good Hope, held 15th January, in pursuance of public notification, it was unanimously agreed, that the government agents in possession of the subscription money remaining (beyond the moiety given to Capt. Johnston) be requested to grant bills for the same upon the Hon. Court of Directors, to be appropriated for the purpose determined upon by the last general meeting, 30th July 1828 (see p. 219), under security to be given by Mr. Waghorn, that he completes the voyage out in 75 days, in failure of which he is to return one-half of the money now voted to him.

## HALF-BATTA.

The newspapers of Calcutta are crowded with letters and articles upon the half-batta retrenchment, some of which are not remarkable for moderation of tone. This circumstance is not to be wondered at, considering the serious inconveniences which the reduction will occasion to many, and the almost impossibility of their living in some places upon their allowances, without the sacrifice of what, in that country, are necessities. It is stated in one paper, that the Commander-in-chief has addressed to the superior authorities at home a powerful appeal against the measure. The *John Bull* of January 15, mentions a rumour that the order would be suspended.

## ESCAPE OF SUTTEES FROM THE FILE.

The *John Bull* of Dec. 20, contains a letter signed "An Eye-Witness," giving an account of the following occurrence at Santipore, (a town on the Hooghly, 43 miles from Calcutta), on the 14th. A woman about 25 years of age, of the Teelee caste, on the demise of her husband, resolved to burn herself with the corpse, of which intention intimation was given to the magistrate, who with several gentlemen proceeded to the Ghaut, in order to expostulate with the infatuated creature, where the police darogha was in attendance. On his arrival he found her seated beside the body attended by different members of her family, waiting till the funeral pile, which was erecting at a short distance, should be finished. Every argument that could be thought of was now urged by him to dissuade her from her purpose with all the earnestness the occasion was calculated to excite ; but his solicitations, and the remonstrances of her own relations also, not proving successful after many persevering efforts, the magistrate reluctantly retired, and the other gentlemen also withdrew to a distance, until the ceremonies which usually precede the act of self-immolation were about

to be commenced, when they followed, and placed themselves nearer the scene of action. With the most inimitable composure the Suttée went through the performance of various preparatory rites. Having conversed with the Gooroo, washed her hands with the Gunga water, and been decked out according to established forms by her kinswomen, she slowly and calmly raised herself from the ground, poured some rice into her lap, and scattering the grain as she marched in a direction contrary to the sun's course, encircled the pile three times, and at last, unassisted, with unblenched lip mounted the structure, and threw herself on the remains of her husband. Her son, a lad about 13 years of age, then applied the torch, and a wailing cry of "*Hurree Bole ! Hurree Bole !*" was immediately raised by the surrounding spectators, which she continued to acknowledge by waving her hand until the flames began to envelope her, when her courage, which had been wrought to the highest pitch, failed, and she sprang from amid the devouring fire in a state of extreme agitation from pain and terror. At this unexpected event exclamations of disappointment were heard ; her son seemed plunged in the depth of despair ; some unfeelingly bid her throw herself again into the flames, but she appeared to be scarce sensible of what was taking place ; after remaining in a sort of stupor, at length she seized her son's hand, and led by him, moved away from the spot without venturing to cast one look behind. On being conveyed to the house of the Resident, means were employed to alleviate the pain arising from the injury her arm had sustained, and to soothe her mind. After a while she became sufficiently calm to reply to the inquiries which were instituted into the motives that led her to ascend the funeral pile. Her determination to become a suttée had been the result, not of choice, or of any notion that by so doing she would escape some undefined misery in a future state ; but of fear of personal obloquy, and neglect from her friends, and of bringing disgrace on them and her son ; indeed the apprehensions, that her want of firmness would prejudice the boy's interests and success in life were with great difficulty quieted by repeated assurances of protection. It would appear that she had sprung from the pile from an instinctive impulse ; but, doubtless, the conversation which had previously been held with her had tended to shake her determination, and, perhaps, the knowledge that persons were present, who would shield her from immediate injury or insult, prevented hesitation, when even momentary delay might have caused the forfeit of life. Having become tranquil, she was ultimately sent home with her relatives, who also appeared quite recon-

ciled to the course that the affair had taken.

Another paper contains an account of a similar occurrence at a place called Prag, where situated we know not. The intended suttée was the widow of a Buniah, and about 25 years of age :—

" Arrived at the Ghaut, the usual forms and ceremonies were gone through ; the pile, however, was not built with a canopy, or in any mode that could prevent the suttée from escaping if she desired to do so, and the use of ghee, rosin, &c. to accelerate conflagration, was not allowed. All being ready, the woman took leave of her relations, made the customary presents to the Brahmins, bathed, and dressed ; then, in the presence of several thousand spectators, lighted the pile, and jumped upon it ; she stood up for a moment, crying out *Ramsut ! Ramsut !* then sat down, and placed the head of her husband's corpse in her lap ; she soon after threw herself on the body, but as the fire increased it became evident from the convulsive quivering of her arms and legs, that she was suffering great agony ; unable to bear it any longer, she started up, and went to the further corner of the pile, then jumped off, and threw herself into the river. On being taken out, she begged to be allowed to mount the pile again ; but that being out of the question, she was placed on a cot, and carried off to the hospital, on which her relatives and the crowd quietly dispersed.

" The woman is now doing well, but in a dreadful state, her legs, left arm, neck, and face being horribly burned, more than any European constitution could possibly have borne. Her relatives have been to see her since, and it is understood she has frequently expressed herself in grateful terms to the magistrate for his interposition."

#### CIVIL SERVICE ANNUITY FUND.

At the annual general meeting of the subscribers to the civil service annuity fund, holden at the Town-hall, on the 1st January, 1829, the Secretary laid before the meeting the accounts of the year 1827-28, shewing the following balance in favour of the fund : viz.

	Sicca Rupees.
Balance of unappropriated funds on 30th April 1828 ...	11,31,747
Balance of appropriated funds, same date .....	10,14,282

Total balance of the fund...2,146,029

When it was resolved unanimously, that the accounts, as submitted to the meeting, be passed.

It was further resolved, that the following list of gentlemen who have retired on the

annuities since the institution of the fund, be published for the general information of the subscribers, viz: Annuitants of 1826-7, J. W. Sherer, Charles Elliott, and Henry Batson. Annuitants of 1827-8: John Ahmuty, J. W. Sands, and J. P. Larkins. Annuitants of 1828-9: Hon. M. Elphinstone, Sir R. Martin, Bart., John Hayes, Francis Law, A. B. Tod, and Charles Lushington.

The meeting then proceeded to elect five managers of the fund for the year 1829, when it was resolved unanimously, that Messrs. A. Ross, H. Mackenzie, H. T. Prinsep, E. Molony, and W. H. Macnaghten, the managers of the past year, be requested to continue their services as managers of the fund for the ensuing year 1829.

#### TONTINE OF INDIA.

Calcutta, 5th of January 1829. The following documents having been submitted to the directors of the tontine, by the secretaries to the scheme, and approved by them, viz.

1st.—Account-current with the secretaries for last quarter, closed 31st December, 1828, shewing a balance of cash in hand.....Sa. Rs. 7,51,413 5 2

2d.—Statement of the funds shewing the following totals:

Cash in the hands of the secretaries, as above ..... Sa. Rs. 7,51,413 5 2

Loans, on security of landed property, but not immediately realizable ... 4,89,377 2 9

Total...Sa. Rs. 12,40,790 7 11

Shares supposed to be in existence 318½

Estimated value of a

Share ..... Sa. Rs. 3,894 3 3

Half..... 1,947 1 7

Quarter ..... 973 8 9

3d.—Pro forma account-current of this date, shewing the sum of sicca rupees 7,28,293 14 11, disposable amongst the surviving interests, or say 318½ shares, at sicca rupees 2,285 11 10 per share.

Notice is given, that a dividend of sicca rupees 2,200 per share will be payable at the office of the secretaries, on or after the 2d of February, to such subscribers, or holders of certificates, as shall produce proof of interest to the satisfaction of the directors and secretaries, and of the existence of the party or parties of whose life or lives such certificates are held, at midnight of the 31st day of December 1828, under certificate and affidavit, executed in the usual manner before a magistrate, commanding officer of a station, or two respectable residents, as the case may be.

#### ATTEMPT TO BLOW UP A VESSEL.

A most extraordinary circumstance has occurred on board the *Penang Merchant*, which might have ended in the destruction of the vessel and the lives of all on board. The vessel was discovered to be on fire. The prompt efforts of the officers and crew, however, succeeded in extinguishing the flames before they attained to any head, and it was afterwards discovered that a systematic attempt had been made to blow up the ship. In one of the passengers' cabins the deck had been scuttled, the hole made in it being large enough to admit a man to pass through it, and from immediately below it a train to the magazine, composed of loose powder scattered in different places, and connected by strips of tarpaulin dipped in spirits of turpentine, was discovered. It is most miraculous that such a train should have failed of its intended effect; and very fortunate that the lascars had no idea of the actual extent of the danger, or they would have been completely paralyzed. Nothing but the prompt and instantaneous exertions of the officers and crew could have saved the ship.

The individual who, on the strongest circumstantial evidence, is charged with being the author of the attempt, and whose name is Thompson, is now in custody for the act, and has undergone an examination at the police. He is accused, we hear, of having intended, by the sacrifice of several lives, to perpetrate an atrocious fraud.—*Beng. Chron.*, Dec. 20.

#### COMMERCIAL FRAUD.

A question of importance to the commerce of India has lately been agitated in this great market for indigo, &c. &c. The facts, as we understand, are briefly as follows:—Last year a house of the first importance in Calcutta shipped to France, by order of a constituent, a parcel of indigo, consisting of a number of chests, the whole of which was examined, packed, marked, numbered, and shipped in the usual manner; but on reaching its destination, it was discovered that during its transit from the agent's godown in Calcutta to the warehouse of the constituent in France, a chest of indigo had been abstracted, and in lieu of it a chest of rubbish had been introduced. The question to be determined, therefore, was who should pay for, or bear the loss of the exchanged chest. The prevailing opinion seemed to be that, presuming usual care and precaution had been taken in Calcutta, as far as the agent was concerned—as it was impossible legally to prove where and by whom the exchange had taken place—and that as the agents had done as much for the constituent as he could have done for himself, had he been personally present

present in Calcutta, the agent was not liable, and should not bear the loss.—*Cal. John Bull*, Dec. 27.

#### LEGISLATION FOR INDIA.

We understand that copies of Mr. Ferguson's bill as to real property in India, which passed in the end of June, have reached this country. We have heard it stated that a singular omission occurs in the act as to property beyond the limits of Calcutta, belonging to foreigners and those born in this country, not being British subjects, Hindoos, or Mahomedans, their estates being left in the same condition as formerly.

In Mr. Peel's bill, also, in regard to felony, a similar mistake is said to have been committed, by which murders committed at Serampore or Chandernagore are put in the condition of those committed at sea, and thus may be tried in England, whilst the court at Calcutta can take no cognizance of them.—*Ibid.*, Dec. 18.

#### FEMALE SCHOOLS.

An examination of the pupils of the Female Schools was held at the Central School, in the New-square, yesterday morning, at ten o'clock. The scholars were divided in four classes, besides a class of monitors, and were about one hundred in number, being selected from the schools generally. They read and explained, in the Bengali language, Bible histories, the fifth chapter of Matthew, and the seventh of the Acts, and appeared to read not only with fluency, but to have committed to memory the leading facts and doctrines derivable from the lessons they had perused. They were, in general, of very tender years, and exhibited a lively interest in the business of the day, answering with great emulation the questions that were put to them. The first class also wrote on slates from dictation. Lady W. Bentinck honoured the examination with her presence, and the auditors, consisting mostly of ladies, were very numerous; very few natives were present. The spectators were much gratified by the instance thus afforded of the progress of knowledge of the most important nature, and the successful dissemination of which is mainly attributable to the talents and energy of the lady under whose superintendence these schools are carried on.—*Cal. Gov. Gaz.*, Dec. 18.

Many questions were put by gentlemen present to elicit their knowledge of the books they read, and their ready and intelligent answers left a very general impression that the labours of this Society are progressively successful, and that there is every reasonable encouragement to persevering and increased exertions in behalf of native female education in this country.

There was a class of teachers or monitors, consisting of 25 native females: these have all been educated in the schools of this Society, and are now exercising and improving their little stock of knowledge by communicating it to their countrywomen. In short, the whole was highly gratifying to the friends of the Society.—*Cal. John Bull*, Dec. 19.

#### PIRATES IN THE INDIAN SEAS.

Several statements appear in the Calcutta papers of vessels having been chased by pirates. The *Maitland* was followed and fired at by a vessel of this description in August, when in lat. 17° 17' S., long. 35° 16' W. The *Mary Anne* was chased by a pirate brig in lat. 5° 7' N., long. 84° 34' E. The *Thalia* was chased off the coast of the Brazils by the same pirate as chased the *Maitland*.

#### DISPUTES IN THE SCOTS CHURCH.

A very extraordinary scene took place in the Scotch Church on Sunday last, after divine service had been concluded. A member of the Scotch congregation having been nominated lately by the senior minister and his session as an elder, the junior chaplain (Dr. Brown) seized on the occasion to address the flock from the pulpit on Sunday last, calling in question the right of his senior to elect and ordain elders. The procedure, we believe, is altogether novel in the history of the church of Scotland for any minister to appeal to the people on a matter cognizable only by the church courts, and we hear but one sentiment of disapprobation, amounting indeed to disgust, on the part of those who witnessed the scene, and remained to hear Dr. Brown's paper read. The senior clergyman retired at the close of divine service, before Dr. Brown had commenced reading his paper. Extracts from letters received from government by the junior chaplain, with comments and remarks on these extracts, formed the burden of his speech on this truly lamentable occasion. On these, however, we forbear making any remark, as the conduct of the junior chaplain on this occasion is in the course of being brought before government.—*John Bull*, Dec. 24.

#### DESTRUCTION OF VERMIN BY STEAM.

We are glad to find that the plan of steaming vessels for the purpose of killing vermin and insects, and more particularly the white ant, is coming into use here. The *Comet* (steamer) was on Thursday, hauled alongside of the *Penang Merchant*, and by means of apparatus prepared for the occasion, her steam was applied to that purpose in this vessel for several hours; the object was most completely attained. In addition to the certainty of this

this mode of effecting it, another valuable proof of its superiority to smoking was displayed in this instance. Every leaky place in the vessel was shown by the water oozing out of it, and in this manner several leaks, which could not before be discovered, were made manifest. The steam itself, which escaped like smoke, could not be seen in the daylight, but the water oozing out is of course visible in any light. The expense of this mode of cleansing a vessel is very moderate, and far more complete than any other yet known: in fact, no other has ever been found effectually to destroy the white ant; not even sinking vessels, we believe, which is infinitely more tedious and more expensive, and with large ships out of the question.—*Beng. Chron.*, Jan. 10.

#### RUNJEET SINGH.

The native papers contain some notices of the occupations of this personage. At the beginning of October he was busy, at Amritsar, in preparation for the Dusserah, or Hindu festival of the *tenth*. From the Peshawer *akhbars*, it appeared that Dost Mahommed Khan, having gone from Cabul to consult with Shahzadah Kamran, had, for the purpose of collecting tribute and revenue, pushed on to Sindh, and other states in that neighbourhood. The hakim of Derra Jungle had informed the Shahzadah that a military force, under the hakim of Derra Julalabad, was committing depredations in his district, upon which the Shahzadah ordered a troop of horse to proceed against the offenders; and the Maharaja intimated that, after making a tour of Mooltan, he intended marching to Khyrabad, to prevent, by a new settlement, the insurrections that were continually occurring in that part of his dominions. Further news from Peshawer stated that Mirza Kamran had caused to be cut off the noses and ears of three Sirdars, Noor-zyans, and having confiscated all their property, turned them out of the city. The chiefs and troops of the Maharaja were, on the 6th of November, in camp at a place called Talwara, at the foot of the hills towards Nadoun. The raja of Kote Kangra had been informed that if he was disposed to observe the engagements that had hitherto subsisted with the Maharaja, matters should go on as before; if not, his highness would immediately take possession of the whole of the country. The prince Shir Singh was prepared to besiege a strong fort, well provided with military stores and provisions, and held by Mian-Dhyan Chand, an uncle of Amru Chand, the raja of Kote Kangra. Messengers had been sent to him to require him to give up the fortress and to retire to his own territories, assuring him that the Maharaja had no wish to occupy Na-

doun unless compelled by the pertinacious disobedience of the raja. The different sirdars were gradually drawing towards Shir Singh to reinforce him. The raja of Mandavi had been advised, through his vakil, to separate from his alliance with Amru Chand, and to join the force of the Maharaja. Letters had been addressed to all the feudatory chiefs, as the Nawab of Bhowalpur and others, desiring them to pay their arrears of revenue without delay. The killadar of Kote Kangra and others had been ordered to repair to the presence. In the beginning of the month it was reported that Sayid Ahmed, having collected five or six thousand men, had attempted to cross the Indus. Orders were sent to Pratap Singh and others to march to Atek with their divisions, and if the Yusefzeis and Sayed Ahmed attempted to commit any depredations, to punish them severely.

#### SHIPPING.

##### Arrivals in the River.

Dec. 30. *Eole*, Vides, from Bordeaux.—Jan. 2. *Mary Ann*, Boucant, from Mauritius; and *Aurora*, Owen, from London and Madras.—6. *James Sibbald*, Cole, from London and Ceylon.—8. *Alfred*, Tourmier, from Nantes.—9. *Cesar*, Watt, from London and Cape.—11. *Susan*, Halliday, from London.—14. *Maitland*, Short, from London and Ceylon.—16. *Colonel Young*, Thomas, from Singapore and Malacca.—18. *Lucie*, Goragnon, from Marseilles.—19. *John Higgin*, Kent, from London; *William Money*, Fulcher, from London and Cape; *Coromandel*, Boyes, from London and Ceylon; *James Grant*, Irlie, from Liverpool; and *George*, Saunders, from Salem and Pernambuco.—20. *Precious*, Hjeltn, from Cowes.—23. *Cline* sloop of war, Wyndham, from Bombay.—26. *George Canning*, Craig, from Greenock.—30. *Lady MacNaughten*, Faith, from London, (disasted).

##### Departures from Calcutta.

Dec. 16. *Clyde*, Scott, for Isle of France.—17. *Chonqua*, Privot, for Havre de Grace.—23. *Ganges*, Lloyd, for Madras and London; and *Palambam*, Nash, for Bombay.—24. *Meteor*, Watson, for Mauritius.—25. *Acyon*, Cartier, for Alpee and Bordeaux.—27. *Hercules*, Vaughan, for Madras and London.—28. *Malcolm*, Eyles, for Madras and London; and *Cornwall*, Aldham, for London.—29. *Columbin*, Kirkwood, for Liverpool.—Jan. 1. *Juliana*, Tarbutt, for London; and *John Taylor*, Atkinson, for Liverpool.—3. *Strabornedura*, Chapman, for London.—4. *Asia*, Stead, for London.—8. *General Lafayette*, Darre, for Havre de Grace; *Laura*, Pouversou, for Bordeaux; *Indian Oak*, Reid, for South America; and *Henriette*, Destangue, for Bordeaux.—10. *Maira*, Thornhill, for London.—12. *Lord Amherst*, Ardile, for London.—13. *James Pattison*, Grote, for London; and *Renown*, Baker, for Bombay.—14. *Duke of Lancaster*, Hanney, for Liverpool; *Emerald*, Heard, for Boston; and *Lady Flora*, Fayrer, for London.—16. *Chieftain*, Blair, for Liverpool; *Mare*, Thcomb, for Boston; and *Two Brothers*, Briggs, for London.—20. *Walworth Castle*, Sinclair, for Isle of France.—21. *Coromandel*, Dupeyron, for Bordeaux.—23. *Irma*, Lucio, for Havre de Grace; *Pactule*, Delaleau, for Bordeaux; and *H. C. S. Rose*, Marquis, to complete her cargo at Saugor.—24. *Jean Jacques*, Gautherin, for Bordeaux.

##### Departure from Saugor.

Jan. 15. *H. C. S. Asia*, Balderston, for London.

#### PIRATES.

Oct. 23. At Cawnpore, the lady of Lieut. Col. F. T. Camry, commanding 54th N. I., of a son.



25. At Delhi, Mrs. J. T. Thompson, of a son.  
 Nov. 18. At Shajehanpore, the lady of R. Brown, Esq., surgeon first A.S., of a daughter.  
 26. At Harakballe, Kishnaghar, Mrs. James Bluet, of a daughter.  
 27. At Simla, the lady of Capt. L. H. Stacey, of a daughter.  
 28. At Bareilly, the lady of A. K. Lindesay, Esq., surgeon of 2d Nusserey Bat., of a son.  
 Dec. 2. At Karnaul, the lady of Lieut. Col. Gale, of a daughter.  
 4. At Calcutta, Mrs. J. Francis, of a daughter.  
 6. At Calcutta, the lady of A. M. Varden, Esq., of Syddabad, of a daughter.  
 — At Nautpore, the lady of Geo. Canhan, Esq., of a daughter.  
 8. At Calcutta, the lady of C. A. Cavork, Esq., of a daughter.  
 — At Moradabad, the wife of Mr. John Shaw, department of public works, of a daughter.  
 — At Sulkea, Mrs. M. Hardill, of a daughter.  
 9. At Meerut, the lady of John Vincent, Esq., 16th Queen's Lancers, of a daughter.  
 — At Calcutta, the lady of Mr. C. C. Rabeholm, of a daughter.  
 10. At Bancroft, the lady of G. N. Cheek, Esq., civil surgeon, of a daughter.  
 — At Calcutta, the wife of Mr. W. Spence, H. C.'s marine, of a daughter.  
 — At Bareilly, the lady of G. F. Thompson, Esq., civil service, of a son.  
 — At Soojenpore, Kishnaghar, the lady of J. M. De Verinne, Esq., of a son.  
 11. At Chinsurah, the lady of the Rev. Wm. Morton, of a daughter.  
 — At Patna, the lady of the Rev. T. N. Stevens, of a son.  
 — At Allipore, the lady of Capt. W. R. Fitzgerald, engineers, of a son.  
 12. At Loodianah, the lady of G. N. Poole, Esq., of a son.  
 13. At Calcutta, the wife of Mr. Thos. Swaine, register in the general department, of a son.  
 — At Calcutta, Mrs. T. Ledlie, of a son.  
 16. At Calcutta, the lady of R. M. Ronald, Esq., of a daughter.  
 17. At Calcutta, the wife of Mr. W. J. Bampton, assistant in the house of Messrs. Mackintosh and Co., of a daughter.  
 — At Titlaya, the lady of Lieut. Col. Wm. Vincent, commanding 25th M. N. I. Volunteers, of a son.  
 19. At Sulkea, the wife of Mr. G. Rose, of the sea custom-house, of a son and heir.  
 — At Hooghly, the lady of W. H. Belli, Esq., of a daughter.  
 — At Calcutta, at the H.C.'s dispensary, Mrs. Jno. Paul, of a daughter.  
 22. In Chowringhee, the lady of W. Dampier, Esq., civil service, of a son.  
 — At Calcutta, the wife of John Vandenberg, of a son.  
 23. At Calcutta, the lady of George Pratt, Esq., indigo planter, of Purneah, of a son.  
 — At Calcutta, the lady of W. J. Baldwin, Esq., of a son.  
 — At Calcutta, the lady of Lieut. F. R. Moore, of a daughter.  
 — At Saharunpore, the lady of T. J. Turner, Esq., civil service, of a son.  
 24. At Calcutta, the lady of John Ritchie, Esq., of a son.  
 25. At Calcutta, the wife of Mr. J. Cearns, H. C.'s marine, of a son.  
 26. At Sylhet, Mrs. D. C. Fenwick, of a daughter.  
 27. At Meerut, the lady of Major P. M. Hay, 25th N.I., of a daughter.  
 28. At Calcutta, the wife of Mr. C. Boyce, H. C.'s marine, of a daughter.  
 30. At Mymensing, the lady of John Dunbar, Esq., civil service, of a daughter.  
 — At Seetapore, the lady of Lieut. G. Hamilton Cox, 62d N.I., of a son.  
 — At Sonanuddee indigo factory, the lady of A. M. David, Esq., of a daughter.  
 — At Calcutta, the wife of the late P. M. David, Esq., of a daughter.  
 Jan. 3. At Calcutta, Mrs. Joseph Willick, of a daughter.  
 4. At Calcutta, the lady of Lieut. Col. H. E. Gilbert Cooper, 66th N.I., of a son.  
 — At Ballygunge, Mrs. J. Hughes, of a daughter.  
 5. At Sealdah, the wife of Mr. John Moffat, of the secret and postal department, of a daughter.

10. At Calcutta, the lady of R. Swinboe, Esq., of a daughter.  
 — At Calcutta, the lady of Capt. Tennant, assist. adj. gen. of artillery, of a son.  
 — At Calcutta, Mrs. C. Rebello, of a son.  
 11. At Berhampore, the lady of Lieut. and Adj. Fairhead, Provincial Bat., of a daughter.  
 12. At Calcutta, Mrs. C. Davenport, of a daughter.  
 14. At Barrackpore, the lady of O. W. Span, Esq., 53d regt., of a son.  
 17. At Mullye, the lady of Lieut. J. C. Sage, 79d N.I., of a son.  
 — At Allipore, the wife of Mr. Bowser, head master of the Lower Orphan School, of a daughter.  
 20. At Chinsurah, the lady of Capt. W. Bell, artillery, engineer officer public works, of a daughter.  
 26. At Calcutta, the lady of G. Vignon, Esq., of a son.

## MARRIAGES.

Nov. 18. At Dacca, Mr. Veranes Ter Martinon, to Miss Herfemah, eldest daughter of the late Johannes Seth Agass, Esq.  
 Dec. 5. At Dacca, J. H. Palgrave, Esq., to Miss Maria Clementina Fooks.  
 8. At Dacca, Mr. S. M. Chilli, to Amanda Sophia, daughter of T. Pottinger, Esq., planter in the district of Dacca.  
 9. At Calcutta, Mr. James Stuart, to Miss Anna Ulrica Hoff.  
 10. At Calcutta, Dr. James Innes, civil surgeon of Bhagulpore, to Jane Alicia, eldest daughter of Lieut. Col. McLeod, of engineers.  
 — At Calcutta, Mr. John Cusford, of the Calcutta sea custom-house, to Miss Susan Perreau, of Mrs. Johnson's seminary.  
 13. At Calcutta, Capt. Bower, H.M.'s 48th regt., to Mrs. Susanna Hele.  
 — At Calcutta, Mr. Geo. Godfrey, to Mrs. M. C. Ferguson.  
 — At Calcutta, Mr. Isaac Beardsmore, to Miss Mary Roston.  
 15. At Calcutta, Mr. W. Bellamy, mariner, to Miss Eliza Catherine Bates.  
 16. At Calcutta, Alexander St. Leger McMahon, Esq., to Catherine Maria, eldest daughter of the late R. M. Fishbourne, of Hollymount, Queen's County, Ireland.  
 — At Calcutta, A. J. C. Pouverein, Esq., commander of the ship *La Laure*, to Eugenia Isabelle, daughter of the late Capt. Ford, royal navy.  
 17. At Serampore, Mr. G. Nicholls (late Vass), head usher to the Serampore seminary, to Amelia Fernandez, youngest daughter of the late Rev. Wm. Ward, one of the Baptist missionaries of Serampore heretofore.  
 — At Calcutta, Mr. Wm. Tennent, to Mrs. Jane Gardner.  
 — At Panceput, near Dehlee, Mr. Wm. Kelly, to Mary, relict of the late Mr. Conductor R. J. Eaton.  
 18. At Severndroog, T. H. Graham, Esq., to Jane, daughter of Dr. J. A. Maxwell.  
 — At Calcutta, Mr. Wm. Barnett, to Mrs. Sarah Deverell.  
 22. At Calcutta, Capt. C. C. Bell, to Miss Anne Moore, of Calcutta.  
 27. At Bareilly, H. M. Elliot, Esq., of the civil service, to Eliza, third daughter of Wm. Cowell, Esq., senior judge of the Court of Appeal and Circuit at that station.  
 — At Calcutta, Mr. S. E. Atkinson, to Mrs. J. S. Walters.  
 29. At Cawnpore, Lieut. Wm. Jervis, 42d N.I., to Fanny Sophia, eldest daughter of the late Lieut. Col. John Swinton, Bengal establishment.  
 — At Calcutta, John S. Biss, Esq., to Miss Sarah, eldest daughter of the late Capt. E. C. Kemp.  
 — At Calcutta, M. Varden, Esq., of Syddabad, to Regina, second daughter of Mr. M. Michael, of Calcutta.  
 30. At Calcutta, John Franks, Esq., eldest son of Sir John Franks, to Eleonora Whitcomb, daughter of the late Wm. Whitcomb, Esq., of Dudmaston Hall, Shropshire.  
 — At Calcutta, Mr. L. Fraser, assistant to Messrs. Colvin and Co., to Miss Ella Hall.  
 Jan. 3. At Calcutta, Mr. N. G. Fowler, to Miss E. C. Marshall.  
 5. At Calcutta, James Paterson, Esq., to Miss

surgeon of H.M.'s 13th Lt. Inf., to Jemima, youngest daughter of George Aikin, Esq., of Thornton, Ffleshire.

8. At Lucknow, Lieut. D. Bamfield, 56th N.I., to Christian, youngest daughter of the late James Loch, Esq.

9. At Calcutta, Mr. N. Pelgrin, indigo planter, to Miss M. G. Beanland, only daughter of the late J. Beanland, Esq., of Coomerunge, Jessore.

12. At Calcutta, Charles Wilkinson, Esq., assistant surgeon on the Madras establishment, to Miss Llewellyn.

13. At Calcutta, Mr. Geo. Cooke, to Miss E. M. Wren.

14. At Calcutta, Mr. Wm. Thompson, indigo planter, to Miss Charlotte Bailey.

19. At Calcutta, T. Brae, Esq., to Miss C. Duncan.

22. At Calcutta, Mr. C. P. Sealy, to Miss Mary Brown.

## DEATHS.

Sept. 22. At Moradabad, A. N. Forde, Esq., late collector of that district.

Oct. 27. At Delhi, Mr. John Jones, late an assistant in the adjutant general's office.

16. At Rungpore, Mr. James Fernie, teacher of the Garrow school at Singamarey.

Dec. 4. At Boohundshuhur, Phoebe, wife of Mr. Wm. Knight, writer in the joint magistrate's office.

5. At Chinsurah, Mrs. A. S. Thompson, widow of the late Mr. J. Thompson.

7. At Chinsurah, Mrs. C. Thompson, widow of the late Major Thompson, aged 60.

8. At Meerut, Lieut. R. Jones, H.M.'s 16th Lancers, aged 38.

— At Calcutta, Mrs. J. Pereira, wife of Mr. Joseph Pereira, senior, aged 44.

— At Patna, Mrs. Ann Carrille.

— At Calcutta, Mr. Charles Cooper, of Cuttack, aged 22.

11. In Orissa, The Rev. Mr. Cropper, in his 22d year, one of the missionaries attached to general Baptist Society of Great Britain.

— At sea, on board the *Medina*, Wm. Henry, eldest son of Major Dennie, H.M.'s 13th Lt. Inf., aged 7 years.

12. At Calcutta, Mrs. Robeiro, wife of Mr. J. Robeiro, assistant in the judicial department, aged 36.

13. At Chittagong, Mrs. Kincaid, wife of Capt. Peter Kincaid, pension establishment, aged 45.

— At Calcutta, Mrs. E. D'Rozario, wife of Mr. J. D. Rozario, of the Government Gazette press, aged 24.

— At Calcutta, James, son of Capt. R. B. Fulton, of artillery, aged 5 years.

17. At Meerut, the lady of Qu. Mast. S. Palmer, H.M.'s 31st regt., aged 26.

18. At Calcutta, Jane, widow of the late Major Harris Nicholson, aged 44.

— At Calcutta, Mary, wife of Mr. D. Maddock, indigo planter, aged 54.

23. At Titalya, Maj. T. D. L. Davies, 25th N.I. volunteers.

25. At Nussereabad, Lieut. J. H. Le Feuvre, 26th regt. N.I.

29. At Calcutta, Mr. E. De Cruz, aged 43.

30. At Calcutta, Mr. Peter Hodge, aged 23.

31. At Bhaugulpore, suddenly, Capt. Wm. Boyd, paymaster of H.M.'s 3d regt., or Buffs.

— At Calcutta, Mr. James Brown, seaman.

— At Calcutta, Anne, widow of the late Mr. R. Ridge, aged 68.

Jan. 1. At Chittagong, Marianne, lady of Capt. W. Stirling, 74th N.I.

— At Calcutta, Mrs. M. M. Dossa, wife of Mr. C. Dossa, aged 31.

2. At Saugur, the lady of Capt. Thos. Marshall, Bengal Artillery, aged 26.

5. At Calcutta, Avelick Manatsaken Varden, Esq., of Bydabad, indigo planter, aged 34.

9. At Calcutta, Mr. John Williams, H. C.'s agent at Diamond Harbour, aged 33.

10. At Amlaghur, Capt. Adoniah Smith, 50th N.I., in consequence of a fall from his horse at Allahabad, in the preceding month.

17. At Calcutta, Capt. David Miller, of the ship *Coldstream*.

21. At Entally, Charlotte Sophia, widow of the late Mr. J. Williams, deputy agent at Diamond Harbour, aged 24.

22. At sea, on board the *John Eggar*, Mr. C. Russell, aged 28.

## Madras.

## GOVERNMENT GENERAL ORDERS.

## THE EXTRA REGIMENTS.

Fort St. George, Dec. 16, 1828.—The Right Hon. the Governor in Council is pleased to resolve that the two extra regiments of native infantry shall be immediately disbanded.

His Exc. the Commander-in-chief is requested to issue the necessary subsidiary orders for giving effect to this resolution.

## NEW NATIVE DISPENSARY.

Fort St. George, Dec. 23, 1828.—The Right Hon. the Governor in Council has been pleased to resolve, that a dispensary shall be established in a building adjacent to the vaccine depôt at the east end of Chinatrapettah, for the purpose of affording to the native public servants at the presidency, and to other native inhabitants when suddenly seized with sickness, such medicines and attendance as the nature of their complaints may require. The patients who may apply for relief at this institution will be treated with a particular attention to the observances required by their caste and religion.

The medical attendants of the institution will consist of an apothecary and native dresser, and the medical officer in charge of the black town district will give his advice and attendance in all cases of severe disease, and will exercise a general superintendence over the duties of the dispensary.

## SUPERNUMERARY TROOPERS.

Fort St. George, Dec. 31, 1828.—Adverting to the reduced strength of regiments of light cavalry directed by government under date the 14th October last, and with a view of appropriating the dismounted individuals of each rank to useful service, the Right Hon. the Governor in Council directs that the supernumerary troopers shall, under orders from the Commander-in-chief, be assembled at Arcot for such foot duties as may be required of them, with the undermentioned European and native officers and non-commissioned officers attached for the purpose of conducting their duties:

1 European officer commanding; 4 ditto commanding squadrons; subadars, jemadars, havildars, nagues, and trumpeters, from different regiments; puckallies, from the Native Veteran Battalion.

The details will be formed into four squadrons, or eight troops, with an European officer to command each squadron, and one to the general charge of the whole; the latter will be permitted to draw 200 rupees per month as regimental command allowance, which is to include all

all contingencies, and the officers in charge of squadrons, in like manner, to draw a command allowance of 30 rupees per month for each squadron.

His Exc. the Commander-in-chief is accordingly requested to appoint the European officers, and to issue the necessary subsidiary instructions for giving effect to the foregoing orders.

Twenty-four supernumerary troopers in excess of the reduced establishment of 400 will be left with each regiment, for the purpose of filling up vacancies as they occur.

#### STRENGTH OF REGIMENTS.

Fort St. George, Jan. 9, 1829.—The Right Hon. the Governor in Council is pleased to direct, that the establishment of each regiment of light cavalry shall, until further orders, be fixed at 400 private troopers, and 535 horses, and the native infantry at 700 privates per regiment; the rifle corps, Seringapatam Local Battalion, and pioneers excepted, which will remain as at present.

All men in excess of these establishments are to be borne as supernumeraries upon the returns of regiments respectively until disposed of.

#### COURT-MARTIAL.

LIEUT. COL. SIR F. K. WILLIAMS.

Head-Quarters, Camp Bhinseeah, Dec. 22, 1828.—At a general court-martial, holden at Fort St. George, on the 14th July 1828, Lieut. Col. Sir Edmund Keynton Williams, K.C.B., of H.M.'s 41st regt. of Foot, was arraigned on the following charges:—

Lieut. Col. Sir E. K. Williams, of H. M.'s 41st regt. of Foot, and K.C.B., placed in arrest by order of his Exc. Lieut. Gen. Sir George Townshend Walker, G.C.B. and K.C.T.S.

*Charges.*—1st. For scandalous and infamous behaviour, such as is unbecoming the character of an officer and a gentleman, in having, at sea, on the quarter-deck of the H.C.'s ship *Macqueen*, on the 15th of June 1828, violently and intemperately addressed Capt. James Walker, the commanding officer of the said ship, thereby violating his word of honour previously given that he never would, personally or through another, address remonstrances or complaints to the said Capt. Walker or his officers, on the quarter-deck.

2d. For conduct unbecoming his situation as commanding officer of the troops, and, thereby, to the prejudice of good order and military discipline, by a series of intemperate and irritating behaviour, on board the H.C.'s ship *Macqueen*, calculated to insult the commander of the said ship, and to create discontent and in-

subordination amongst the soldiers and others, as exemplified in the following instances:

*Instances.*—1st. In having, at sea, on board the H.C.'s ship *Macqueen*, on the 7th of April 1828, on occasion of a survey held by the officers of the ship on some cheese complained of as bad, not confined himself to rejecting their decision, but, on ordering a survey by his own officers, pointedly directed them "to exclude the officers of the ship from its hearing;" and in having, at the same time, attempted to bias their opinion, by saying to them, "now gentlemen, before you retire, recollect that my opinion is that the cheese is bad," or words to that effect.

2d. In having, at sea, on the quarter-deck of the H.C.'s ship *Macqueen*, on or about the 9th of April 1828, publicly insulted the said Capt. Walker, by falsely attributing to him a practice of privately admitting into his (Capt. Walker's) cabin the officers of the detachment on board, and receiving from them notes of such transactions as occurred.

3d. In having, at sea, on board the H.C.'s ship *Macqueen*, on the 10th of April 1828, publicly used insulting and violent language to the said Capt. Walker, therein, without due cause or foundation, accusing him of thwarting his (Lieut. Col. Williams's) authority, and destroying the discipline of H.M.'s service.

4th. In having, at sea, at the cuddy table of the H.C.'s ship *Macqueen*, on the afternoon of the 22d April 1828, conducted himself in a highly irritating and indecorous manner, in the presence of ladies, then and there present.

5th. In having, at sea, on board the H.C.'s ship *Macqueen*, on the 5th May 1828, countenanced Lieut. and Adj. William Dyer, of H.M.'s 41st regt. of Foot, by introducing him (Lieut. Dyer), then under arrest, into the cuddy, playing at cards with him, and further declaring that he (Lieut. Col. Williams) must absent himself from the cuddy table so long as the said Lieut. Dyer remained under arrest, although such arrest had been imposed by Lieut. Col. Williams himself; and, furthermore, in having then absented himself accordingly from the cuddy, and continued so to absent himself during the remainder of the voyage.

6th. In having, at sea, on board the H.C.'s ship *Macqueen*, on the 16th of June 1828, witnessed and encouraged a scene of drunkenness amongst the officers of the detachment under his command, and in having, on the same day, appeared himself on the poop in a discreditable state of intoxication.

The above, or any part thereof, being in breach of the Articles of War:

Upon which charges the court came to the following decision:

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The court having most maturely weighed and considered the whole of the evidence which has been adduced in support of the prosecution, together with what the prisoner, Lieut. Col. Sir Edmund Keynton Williams, of H.M.'s 41st regt. of Foot, and K.C.B., has urged in his defence, and the evidence in support thereof, is of opinion as follows:

Finding on the 1st charge.—That the prisoner is not guilty of the 1st charge.

Finding on the 1st instance of the 2d charge.—That the prisoner is not guilty of the 1st instance of 2d charge.

Finding on the 2d instance of 2d charge.—That the prisoner is not guilty of the 2d instance of 2d charge.

Finding on the 3d instance of 2d charge.—That the prisoner is not guilty of the 3d instance of 2d charge.

Finding on the 4th instance of 2d charge.—That the prisoner is not guilty of the 4th instance of 2d charge.

Finding on the 5th instance of 2d charge.—That the prisoner is not guilty of the 5th instance of 2d charge.

Finding on the 6th instance of 2d charge.—That the prisoner is not guilty of the 6th instance of 2d charge.

The court having found the prisoner, Lieut. Col. Sir E. K. Williams, of H.M.'s 41st regt. of Foot, and K.C.B., not guilty on each of the charges preferred against him, does therefore fully and honourably acquit him thereof.

The Commander-in-chief having considered much of the finding of the court in contradiction to the evidence, desires that it may be re-considered.

The court having maturely re-considered its former finding, and respectfully deliberated on the remarks by his Exc. the Commander-in-chief, adheres to its former opinion.

Opinion and sentence not approved, but confirmed. G. T. WALKER, Lieut. Gen. Madras, Nov. 5th, 1828.

The foregoing order is to be entered in the General Order Book, and read at the head of every regiment in H.M.'s service in India.

By order of the Commander-in-chief in India. WILLOUGHBY COTTON, Act. Adj. Gen. H.M.'s forces in India.

## CIVIL APPOINTMENTS.

Dec. 25. Jas. Thomas, Esq., sub-collector of Coimbatore.

F. F. Clementson, Esq., senior deputy accountant-general and commercial accountant and auditor.

A. J. Cherry, Esq., assistant to collector of sea customs at Madras.

R. B. Sheridan, Esq., head assistant to secretary to Board of Revenue.

Jas. G. W. E. Lockhart, Esq., register to sillah court of Nellore.

13. W. R. Taylor, Esq., Judge and criminal judge of Combaconum.

20. H. F. Dumergue, Esq., register to sillah court of Madura.

W. Douglas, Esq., senior assistant to register to court of Sudr and Foudjarry Adawlut.

## ECCLESIASTICAL APPOINTMENTS.

Jan. 6. The Rev. F. Spring, B.A., chaplain at Poonamallee.

The Rev. H. Harper, M.A., chaplain at Visagapatam.

## MILITARY APPOINTMENTS, PROMOTIONS, &c.

Head-Quarters, Dec. 9, 1828.—Assist. Surg. J. R. Gibb removed from 43d to 9th N.I., and Assist. Surg. G. Knox from latter to former regt.

Dec. 10.—Ens. H. L. Burleigh posted to 34th or Chicacole L.I.

Assist. Surg. S. Rogers posted to 4th L.C.

Assist. Surg. J. McKenna posted to 45th N.I.

Dec. 11.—Ens. W. M. Wahab posted to 40th N.I.

Dec. 15. Assist. Surg. W. Laurie removed from 2d Extra regt. to 30th N.I.

Dec. 17.—Pioneers. Capt. F. H. M. Wheeler transferred from 2d to 1st bat., v. Van Heythuysen removed from that corps.—Capt. Jos. Anthony, 6th N.I., posted to 2d bat., v. Wheeler.—Lieut. H. Deacon, 18th N.I., posted to 2d bat., v. Zouch removed in consequence of indisposition.—Lieut. C. A. Cosby, 25th N.I., posted to 2d bat., v. Grantham permitted to return to Europe.

Fort St. George, Dec. 9, 1828.—Assist. Surg. John Campbell, H.M.'s 45th Foot, to have medical charge of depôt and garrison at Poonamallee, v. Irving resigned.

34th, or Chicacole L.I. Sen. Ens. H. Bell to be lieut., v. Furlonge dec.; dated 26th Nov. 1828.

Rev. F. J. Darrah to officiate as military chaplain at Secunderabad during absence of Rev. J. Boyes.

Dec. 12.—3d N.I. Lieut. John Symons, 18th N.I., to act as quartermaster, interpreter, and paymaster, until further orders, v. Power prom., there being no officer of 3d N.I. qualified to fill situation of interp.—Infantry. Sen. Lieut. Col. H. G. A. Taylor to be lieut. col. com., v. Cuppage dec.; dated 19th June 1828.—Sen. Maj. T. Marrett, from 11th N.I., to be lieut. col., in suc. to Taylor prom.; dated ditto.

11th N.I. Sen. Capt. G. Field to be major, and Sen. Lieut. J. W. Roworth to be capt., in suc. to Marrett prom.; dated 19th June 1828.—Sen. Ens. J. Tainsh to be lieut., v. Lally dec.; dated 16th July 1828.

Assist. Surgs. S. Rogers and John McKenna permitted to enter on general duties of army.

Dec. 16.—Infantry. Sen. Maj. W. T. Baker, from 40th N.I., to be lieut. col., v. Sale dec.; dated 12th Dec. 1828.

40th N.I. Sen. Capt. J. W. Pew to be major, Sen. Lieut. G. D. Clayhills to be capt., and Sen. Ens. L. O'Brien to be lieut., in suc. to Baker prom.; dated 12th Dec. 1828.

Superintend. Surg. S. Dyer permitted to retire from Hon. Company's service from 15th Dec. 1828.

Cadet of Cavalry D. G. Taylor admitted on estab., and prom. to cornet.

Cadets of Engineers H. A. Lake and R. Henderson admitted on estab., and prom. to 2d-lieuts.

Cadet of Infantry J. L. Stephenson admitted on estab., and prom. to ensign.

Head-Quarters, Dec. 20.—Surg. D. Reid removed from 17th to 52d N.I., and Surg. A. Sheddin from latter to former corps.

Dec. 22.—Assist. Surg. G. Beeston posted to 33d N.I.

Cornet D. G. Taylor app. to do duty with 2d L.C., and Ens. J. L. Stephenson, with 46th N.I. Dec. 30.

Dec. 30.—*Ens. L. W. Walker* posted to 44th N.I.  
Dec. 31.—*Col. and Maj. Gen. H. Webster* removed from 33d to 33d N.I.

*Removals and Postings of Lieut. Col. Com. H. M. Kelly* from 33d to 33d N.I.; *W. C. Fraser*, from 10th to 30th N.I.; *H. G. A. Taylor* (late prom.), to 10th N.I.

*Removals and Postings of Lieut. Col. W. T. Baker* (late prom.), to 40th N.I.; *J. Hackett*, from 40th to 18th do.; *T. Webster*, from 5th to 49th do.; *J. T. Trewman*, from 49th to 5th do.; *H. Bowdler*, from 48th to 7th do.; *T. H. Smith*, from 7th to 48th do.; *B. B. Pariboy*, from 13th to 4th do.; *T. King*, from 44th to 13th do.; *C. Bowen* (late prom.), to 44th do.; *C. Ferriol*, from 11th to 3d do.; *T. Marrett* (late prom.), to 11th do.

*Surg. G. Bucke* (late prom.), posted to 22d N.I.

*Fort St. George*, Dec. 23.—*Superintend. Surg. K. Macauley* to be superintend. surg. in Malabar, Canara, and Travancore, v. *Dyer*.

*Superintend. Surg. M. S. Moore* to be superintend. surg. in Doab, v. *Macauley*.

*Surg. Jas. Cuddy* to be superintend. surg. to complete estab. from 16th Dec., v. *Dyer* retired, and to be posted to northern div. of army.

*Surg. Robert Anderson* to be garrison surgeon at Cannanore, v. *Cuddy*.

Dec. 26.—*Sen. Assist. Surg. G. Bucke* to be surg., v. *Dyer*; dated 16th Dec. 1828.

*Mr. J. Flockton* admitted on estab. as an assist. surg., and app. to do duty under garrison surg. of Poonamallee.

*Assist. Surg. S. A. G. Young* app. to do duty under garrison surg. of Poonamallee.

Dec. 30.—*Infantry*. *Sen. Maj. C. Bowen*, from 44th N.I., to be lieut. col., v. *Sale* dec.; dated 12th Dec. 1828.

44th N.I. *Sen. Capt. Wm. (Baron) Kutzleben* to be Maj., *Sen. Lieut. (Brev. Capt.) Wm. Cunningham* to be capt., and *Sen. Ens. R. Bullock* to be lieut., in suc. to *Bowen* prom.; dated 12th Dec. 1828.

*Artillery*. *Sen. 2d-Lieut. E. S. G. Showers* to be 1st-lieut., v. *Patterson* dec.; dated 21st Dec. 1828.

Dec. 31.—*Surg. Sir Thos. Sevestre* to act as garrison surgeon of Fort St. George.

*Capt. Jas. Briggs*, 13th N.I., to be deputy assist. qu. mast. gen. in Doab, v. *Cunningham*.

*Capt. Edw. Franklyn*, 1st Europ. regt., to be deputy assist. qu. mast. gen. in Mysore, v. *Briggs*.

*Capt. J. R. Haig*, 34th L.I., to be deputy assist. adj. gen. of army, v. *Franklyn*.

Jan. 6, 1829.—24th N.I. *Lieut. P. Pope* to be adj., v. *Gordon* proceeded to Europe.

*Surg. W. Train* to act as cantonment surgeon at St. Thomas's Mount, v. *Sir T. Sevestre*.

*Assist. Surg. D. Macdougall* to be medical officer at residency of Travancore and Cochín, v. *Bucke* prom.

17th N.I. *Sen. Capt. John Low* to be major, *Sen. Lieut. John Gunning* to be capt., and *Sen. Ens. J. W. Nixon* to be lieut., v. *Ogilvie* dec.; dated 31st Dec. 1828.

*Lieut. Broadfoot*, 34th N.I., and *Lieut. Millar*, 43d do., having passed a satisfactory examination in Hindoostanee language, declared entitled to allowance sanctioned by government G. O. 1st July 1828.

Jan. 2.—*Rifle Corps*. *Lieut. G. P. Vallancy*, 36th N.I., to be qu. mast. interp., and paym., v. *Walke* permitted to return to Europe.

43d N.I. *Lieut. Thos. Sharp* to be adj., v. *Colebrooke* permitted to return to Europe.

*Maj. J. Simpson*, 3d Nat. Vet. Bat., permitted to retire from Hon. Company's service, from date of his embarkation for Europe.

*Maj. G. Field*, 11th N.I., transferred to non-official estab., in compliance with his request.

*Cadets of Cavalry* *J. S. Freshfield* and *R. H. C. Moulray* admitted on estab., and prom. to cornets.

*Cadets of Artillery* *W. M. Molyneux*, *A. C. Pearce*, *J. K. B. Timine*, and *John Paterson*, admitted on estab., and prom. to 2d-lieuts.

*Cadets of Infantry* *H. P. Hill*, *W. H. Meyer*, and *John Robertson*, admitted on estab., and prom. to ensigns.

*Returned to duty, from Europe*.—*Lieut. H. Welsh*, 4th L.C.—*Capt. Arch. Milne*, 9th N.I.—*Lieut. G. M. Arthur*, 20th N.I.—*Lieut. W. Gomperts*, 44th N.I.—*Lieut. Phil. Fletcher*, 45th N.I.—*Ens. W. S. Mitchell*, 22d N.I.—*Lieut. F. A. Clarke*, 33d N.I.—*Assist. Surg. G. Beeson*.

## FURLOUGHS.

*To Europe*.—Dec. 9. *Assist. Surg. F. Godfrey*, for health (via Bombay).—12. *Capt. W. D. Dalsell*, 16th N.I., for health.—16. *Lieut. G. Downing*, 2d N.I., for health.—*Capt. G. Sandys*, 6th L.C. (to embark from western coast).—*Lieut. J. Oakeley*, 6th L.C., for health.—*Lieut. G. Grantham*, 43d N.I., for health.—19. *Surg. J. Irving*, for health.—*Lieut. J. Grimes*, 8th N.I., on private affairs.—*Assist. Surg. S. J. Humfrays*, for health.—23. *Lieut. J. R. Fennell*, 10th N.I., for health.—*Lieut. J. Gordon*, 24th N.I., for health.—*Assist. Surg. F. Godfrey*, for health.—*Lieut. Col. G. Wahab*, 33d N.I.—*Jan. 6*. *Lieut. Col. T. H. Smith*, 7th N.I., for health.—*Maj. J. Simpson*, 3d Nat. Vet. Bat.—*Lieut. R. T. Wallace*, 44th N.I.—*Lieut. J. U. Colebrooke*, 43d N.I., for health.—*Ens. P. B. Roper*, 38th N.I., for health.—*Lieut. G. A. Kerr*, 3d L.C., for health.—*Assist. Surg. J. Kelman*, for health.

*To Bombay*. Dec. 9. *Lieut. and Qu. Mast. J. W. Harding*, 14th N.I., for five months, on private affairs.—19. *Lieut. Alfred Borradaile*, 4th L.C., for six months, on private affairs.

*To Calcutta*.—Dec. 19. *Lieut. Col. R. Home*, 12th N.I., for six months, on private affairs.—*Jan. 6*. *Capt. J. Noble*, assist. com. gen., for three months, for health.

*To Neilgherry Hills*.—Dec. 17. *Capt. J. Wyllie*, 45th N.I.—*Lieut. J. N. Dyce*, 1st L.C.—*Ens. W. A. Moore*, rifle corps.—31. *Major C. Herbert*, 5th N.I.—*Jan. 6*. *Lieut. Col. H. G. A. Taylor*, commanding Bellary—all for health.

*To Cape of Good Hope*.—Dec. 16. *Lieut. Col. D. C. Kenny*, 12th N.I., for health (eventually to Europe).—30. *Deputy Assist. Com. Gen. Lieut. W. Powell*, for six months, for health.

## MISCELLANEOUS.

### THE GOVERNOR.

The Right Hon. the Governor left the presidency on the 22d January on a visit to the provinces.

### GAETIES.

The present season is stated to have been the gayest ever witnessed at Madras. The ordinary entertainments were unusually numerous. The Hon. Mr. Taylor gave a splendid masked ball. A bachelor's ball was given on Twelfth-day, and a grand entertainment was given to Lady Walker on the 29th Dec. by a gallant bachelor. The new year was ushered in by a grand entertainment at the Government House. The *Courier* says: "Altogether we may safely say, that both in the variety and number of amusements in petto, Madras will this season bear comparison with any of the sister presidencies. It is with the hope of encouraging the return of that spirit of sociability which distinguished the good old times of some thirty years ago, that we venture to allude to the subject."

The Governor gave a grand dinner-party on New-year's-day; the Naib-I-Mooktar joined the party in the banqueting-room in the evening.

On the latter occasion, an instance occurred of the ferocity of the Asiatic character.

racter. A trooper of the body-guard had intruded himself into the gallery to see the *tamasha*; he was desired to retire by one of the government-peons, and forced down the steps; he was heard to say that he would make marks on the peon's badge that would teach him not to insult a sepoy. He went to his barracks for his pistols, loaded them, returned to the terrace in front of the banqueting-room just as the naib took his departure, and fired one of the pistols at the person whom he took for the peon, and the other at his own breast. The former wounded a servant of the Naib's moonshee; the latter missed fire. The trooper fled, but was taken. He is only eighteen.

## PONDICHERRY.

The French government at Pondicherry is affording, in its proceedings, a striking contrast to our close and exclusive system. It has been resolved that all the ordinances from home relative to the French establishments in India, and every act of the local government in all the departments, its laws, orders, regulations, local circulars, acts of nomination and appointment, and all that relates to local legislation or government, are to be printed in numbers, under the title of "*Bulletin des actes administratifs des établissements Français de l'Inde*." We have been favoured with a sight of three numbers of this official publication for 1828, of which we observe that 150 copies are printed by the authorities at Pondicherry. We have had time only to glance over the pages of these numbers; but even that cursory examination has served to enable us to bear testimony to the liberal and enlightened views of the government which some of the regulations display; the decided encouragement of European colonization, which is the avowed policy of the French government in India; the premium held out for improved manufactures of certain articles; and, in short, the adoption of a system which promises to render the French dominion a blessing to that part of the country in which it exists.—*Beng. Chron.*, Nov. 22.

## NEW ROAD.

Amongst the local *ouïs* of the day is one that a new road is about to be formed, which will afford a delightful evening drive and promenade on the sea beach. The intended road is, by the express command and permission of our present governor, to run through the government gardens, to pass round the marine villa, and thence along the beach as far as the saluting battery, in the neighbourhood of which a cenotaph is to be erected, whereupon will be placed the statue of Sir Thos. Munro. Some time must necessarily elapse before

this splendid drive is finished, as a complete foundation must be laid for the road on the beach, and a bridge must be erected across the bar; but when finished, it will afford a promenade unrivalled in India.—*Mad. Cour.*, Nov. 18.

## SHIPPING.

## Arrivals.

Dec. 30. H.M.S. *Java*, Carroll (bearing flag of Rear Admiral Gage), from a cruising.—Jan. 1. *Fort William*, Nelsh, from China.—*L'Actif*, Chevalere, from Calcutta; and H.M.S. *Pandora*, Gordon, from Penang.—5. *Alfred*, Hill, from London; and *Ganges*, Lloyd, from Calcutta.—6. *Rockingham*, Hornblow, from London and Cape.—4. H.M.S. *Success*, Jervoise, from Penang.—17. *Wellington*, Evans, from London.—22. *Malcolm*, Eyles, from Calcutta; and *Alexander*, Oakley, from Isle of France.—26. *Governor Harcourt*, Tullis, from Calcutta.

## Departures.

Dec. 20. *La Bella Alliance*, Francis, for Calcutta.—Jan. 4. *Jean Henri*, Boudoen, for Calcutta.—7. *Louisa*, Mackey, for Ceylon and London.—8. *Fairlie*, Fuller, for Calcutta.—9. *Lord Amherst*, Edwards, for Calcutta.—14. H.M.S. *Java*, Carroll (with Rear-Admiral Gage), for Trincomallee.—18. *Ganges*, Lloyd, for London; and H.M.S. *Success*, Jervoise, for Trincomallee.—20. *Fort William*, Nelsh, for Malabar coast and Bombay.—23. *L'Actif*, Chevalere, for Pondicherry.—29. *Governor Harcourt*, Tullis, for London.

## BIRTHS.

Nov. 24. At Vellore, the lady of A. F. Bruce, Esq., civil service, of son.

Dec. 18. At Ragnapore, the lady of Lieut. T. Prendergast, H.M.'s 45th Foot, of a daughter.

30. At Madras, the lady of Wm. Colhoun, Esq., of a son.

24. At Cannanore, the lady of Surg. C. Hamilton, H.M.'s 54th regt., of a daughter.

26. At Anjengo, Mrs. T. A. Philipps, of a daughter.

26. At Cochín, Mrs. Hope Smith, of a son.

31. At Palaveram, the lady of Capt. Dods, of a son.

Jan. 2. At Bellevue, Neigherry Hills, the lady of Capt. H. D. Robertson, of a son.

3. At Dharwar, the wife of Assist. Surveyor L. S. Smaller, of a son and heir.

7. At Madras, the lady of W. R. Taylor, Esq., civil service, of a daughter.

— At St. Thomé, the lady of Lieut. Harwood, 48th N.L., of a son.

9. At St. Thomé, the wife of Mr. John Monisse, of a son.

20. At Madras, the lady of John Dent, Esq., civil service, of a daughter.

26. At Madras, the lady of Lieut. O'Connell, commissary of ordnance, of twin daughters.

## MARRIAGES.

Dec. 19. At Arcot, Edw. Lawford, Esq., lieut. of engineers, to Diana Louisa, third daughter of the Rev. R. Smyth, chaplain of that station.

23. At Vepery Church, Mr. Geo. Dent, to Miss G. A. Gaudoin.

Jan. 8. At Madras, R. Shean, Esq., H.M.'s 13th L. Drago., to Elizabeth, third daughter of Sir Geo. Garrett, of Portsmouth.

Later. At Tranquebar, Mr. F. Poulsen, of Copenhagen, in his Royal Majesty's service, to Virginia, eldest daughter of Mr. J. Morrell.

## DEATHS.

Dec. 11. At Wallajahbad, Lieut. Col. H. W. Sale, 9th Madras N.I.

21. At Trichinopoly, Miss Jane Frances Myers, aged 14; and at the same place, on the 25th, Mrs. Anne Myers, wife of Mr. John Myers, apothecary, aged 38; also, at the same time, George Jacob Myers, aged 3 years, all from spasmodic cholera.

30. At Ottacumund, shortly after his arrival on the hills, Major Gen. Ogilvie, 17th N.I.

31. At Cochin, aged 67, John Brookenden, Esq., ship builder, a native of Rotherhithe, near London.

Jan. 4. On board H.M.S. *Java*, in Madras roads, Thos. Mainwaring, Esq., masterman of that ship, second son of Sir Harry Mainwaring, Bart., of Peover Hall, in Cheshire, and nephew to Lord Viscount Combermere.

4. At Salem, Mr. Jas. Orpwood, clerk under M. D. Cockburn, Esq., collector, &c. of that station, aged 29.

9. At Wallajahbad, Lieut. Col. J. Dalrymple, H.M.'s 30th regt.

13. Off Anjengo, on board the free-trader *Iso-bella*, Dr. Wm. Cochrane, 20th Madras N.I.

## Bombay.

### GOVERNMENT GENERAL ORDERS.

#### EXECUTIVE ENGINEERS.

*Bombay Castle, Nov. 6, 1828.*—The Hon. the Governor in Council is pleased to notify that before an executive engineer quits a station, he is required to inquire into the state of the balances standing against him on the books of every department from which he may have received advances, and to report to the head of such department whether or not he admits them to be correct, and the mode in which they are to be adjusted, whether, on the passing of his unaudited disbursements, the amount of which should be specified, or by their actual liquidation.

#### POONAH LIGHT INFANTRY BATTALION.

*Bombay Castle, Nov. 6, 1828.*—The Hon. the Governor in Council is pleased to direct that the light infantry battalion formed at Poonah in Dec. 1826, be broken up from the date of the departure of his Majesty's 20th regiment from that station.

#### AHMEDNUGGER PROVINCIAL BATTALION.

*Bombay Castle, Nov. 7, 1828.*—The Hon. the Governor in Council is pleased to resolve that the Ahmednuggur provincial battalion, which is at present a military body subject to martial law and military control, be converted into a police corps, subject to the control of the civil authority of the district in the magisterial department, and that of the officer placed in immediate command of it, and organized under such rules and orders as will be issued by the Governor in Council from the judicial department.

#### OFF-RECKONING FUND.—OFF-RECKONING STOPPAGES.

*Bombay Castle, Nov. 8, 1828.*—The Hon. the Governor in Council is pleased to direct that the following extracts of letters from the Hon. the Court of Directors be published in General Orders.

*Letter dated 21st May 1828.*

Para. 2d. "It appearing by a statement

which has been laid before us, that the average amount of a full share in the off-reckoning fund in the last six years, of which the accounts have reached us, has been upwards of £1,300, we have determined to augment the advance to the shares from £750 to £1000 per annum, which arrangement is to take effect from the 1st of January last; so that the next and future half-yearly advances will be £500 instead of £375.

2d. "Corresponding increases will be made in the advances to the half shares, who will therefore hereafter receive £250 each half-year instead of £200.

*Letter dated 4th June 1828.*

Para. 2d. "From a despatch recently received from Bengal, we perceive that the stoppages on account of off-reckonings are in many instances higher at yours, than at the other presidencies.

3d. "In our military letter to Bengal of the 26th Feb. 1823, we directed that the off-reckoning stoppages of the Madras presidency, which for the corresponding ranks were in many instances lower than in Bengal, should be raised to a level with those in force under the supreme government.

4th. "We now direct that the off-reckoning stoppages at your presidency be equalized with those of Bengal and Madras. This order to take effect from the 1st Jan. 1829."

#### COMMANDS OF HILL-FORTS.

*Bombay Castle, Nov. 14, 1828.*—The Hon. the Governor in Council is pleased to direct that the number of commands of hill-forts, which is at present thirteen, be reduced to six, viz. Rhyghur, Poorandur, Singhur, Songhur, Trimbuck, and Dhoorup; to each of which will be appointed a killadar and a naib. These are to be divided into grades, viz. two of the first, two of the second, and two of the third class.

The killadar is not to be under the rank of subadar, nor his naib under that of jumedar.

A killadar of the first class will have an extra allowance to that which he is entitled to retire on of 170 rupees per mensem, and 30 rupees for the keep of a horse. He will be nominated by the government at the recommendation of his Excellency the Commander-in-chief, and receive, on his nomination, a sunnud as killadar, a dress of honour, and a horse from the government.

A killadar of the second class will have an extra allowance of 150 rupees per mensem, and a sunnud and dress from government.

A killadar of the third class will receive an extra allowance of 100 rupees, a sunnud and a dress in the same manner.

The

The extra allowances of the naibs killadars will be as follows:

First class .....	Rs. 80	per mensem.
Second class .....	60	do.
Third class .....	40	do.

The killadars of the first class will be admitted to the third class of privileged orders of the Deccan. The killadars will be permitted to reside at the fort to which they are nominated, or not, as may be judged expedient; but where any causes lead to their being allowed to be absent, the naib must remain in charge.

## CIVIL APPOINTMENTS.

### General Department.

Dec. 23. Mr. Charles Norris to resume his office of secretary to government in judicial, general, and marine departments.

### Political Department.

Mr. Secretary Norris to conduct duties of secret, political, and military departments during Mr. Newnham's absence with Hon. the Governor.

### Territorial Department.

Mr. Thos. Flower, to be collector of customs and land revenue, Bombay.

### Commercial Department.

Mr. Jas. Farish, to be warehousekeeper.

### Minutes of Council.

Nov. 25. Mr. R. C. Chambers, from his proficiency in the Goojrattee languages, declared entitled to second step in any line.

26. Mr. Alex. Seton, from his attainments in Maharratta language, entitled to promotion to second step in any line.

## MILITARY APPOINTMENTS, PROMOTIONS, &c.

Bombay Castle, Nov. 20, 1829.—Lieut. D. Davidson, 17th N.I., to act as third assist. com. gen., v. Le Messurier on leave of absence.

Lieut. Col. Frederick, commissary general, and Lieut. P. Melville, fort adjutant, directed to proceed to Calcutta on special duty.

Lieut. the Hon. A. O. Murray app. to act as fort adj. during absence of Lieut. P. Melville on duty at Calcutta.

Dec. 19.—Assist. Surg. John Dely, app. to medical charge of H.C.'s cruiser *Ternate*.

Dec. 20.—Mr. Secretary Norris to conduct duties of sec. to gov. in military department until further orders.

Dec. 27.—Surg. H. Powell to be garrison surgeon at Bombay, v. Harrison.—Surg. H. Pinhey to act as gar. surg. until Mr. Powell can join.

Jan. 3.—*Temporary arrangements.* Maj. J. Gilhoun, 5th N.I., to resume command of troops at Baroda as senior officer at station, from 10th Dec. 1829.—Lieut. G. Clarkson to be acting adj. to a detachment of 12th N.I. stationed at Broach.

Jan. 5.—Lieut. F. Outram, of engineers, to be executive engineer at Kalra, Ahmedabad, Baroda, and Hurroole.

6th N.I. Lieut. Jas. Thomas to be capt., and Ens. E. P. De'Horne to be lieut., in suc. to Dangerfield dec.; dated 7th Dec. 1829.

19th N.I. Capt. W. Nixon to be major, Lieut. R. M. Cooke to be capt., and Ens. J. G. Gordon to be lieut., in suc. to Gerrans dismissed service; dated 17th Dec. 1829.

16th N.I. Capt. C. Payne to be major, Lieut. R. Seton to be capt., and Ens. C. Giberne to be lieut., in suc. to Snodgrass dec.; dated 29th Dec. 1829.

*Supernumerary Ensigns posted.* J. J. Brown to 6th N.I.; Joshua Faith to 18th do.; G. F. Mc Hutchin to 16th do.

*Asiat. Journ.* Vol. 27. No. 162.

Jan. 6.—*Temporary arrangements.* Capt. Penley, 10th N.I., to act as 3d assist. com. gen. at Baroda on departure of Capt. Reynolds on duty to presidency.—Capt. Jacob, of artillery, to act as assistant to executive engineer at Baroda, v. Capt. Penley.

22d N.I. Lieut. J. Hale to be adj., v. Parkinson proceeding to Europe; dated 1st Jan. 1829.

*Returned to duty, from Europe.*—Capt. C. Payne, 16th N.I.

## MARINE APPOINTMENT.

Jan. 7. Capt. P. Maughan to be capt. of Mazon dock-yard, and member of Marine Board, in suc. to Capt. Walker dec., from 1st Jan. 1829.

## FURLONGHS.

*To Europe.*—Nov. 20. Surg. E. C. Harrison, garrison surg., for health.—Lieut. G. A. Baillie, 52d Madras N.I., for health.—Lieut. W. Burnett, 2d Europ. Regt., for health.—Dec. 19. Capt. J. Simpson, 17th N.I., on private affairs.—Lieut. C. Turnbull, artillery, for health.—Assist. Surg. F. Godfrey, 40th Madras N.I., for health.—31. Capt. Cruickshank, 5th N.I., revenue surveyor in Goojrat, for health.—Ens. C. Rooke, 22d N.I., for health.—Lieut. R. J. Parkinson, 22d N.I., for health.

*To Neilgherry Hills.*—Dec. 19. Ens. S. Macan, 17th N.I., for twelve months, for health.—31. Capt. G. C. Taylor, 30th N.I., until 1st June 1829, in extension.—Maj. R. W. Fleming, 9th N.I., until 10th June 1829, in extension.

## LAW.

### SUPREME COURT, September 29.

*In the matter of Moro Ragunath.*—(Conclusion of Mr. Justice Grant's speech, from p. 647.)

Now the jurisdiction of the Court of King's Bench, in the limited sense of the word, its power of hearing and determining causes, extends over the kingdom of England only; its jurisdiction, in the largest sense of the word, that is its ministerial, or, as I may call it, its mandatory power and authority, extends over all the dominions of the Crown of England. It exercises every power of the King, by virtue of his prerogative, in every part of the dominions of his Crown, necessary to "correct any errors or misdemeanors extrajudicial, tending to the breach of the peace, or oppression of the subjects, or raising of faction, controversy, or debate, or any other manner of misgovernment." Supplying the deficiencies of power in all other magistrates, "so that no wrong or injury, public or private, ever be done, but that it shall be reformed or punished by due course of law, i. e. if it be beyond the authority of other law magistrates, it shall be reformed or punished by the King's Bench. It exercises this extrajudicial power, as it is expressly called by Lord Coke, by issuing the prerogative writs of the Crown, which it directs to places *ubi brevia domini regis* (i. e. between party and party) *non current*. This doctrine is distinctly laid down, and the distinction between the judicial and extrajudicial power, the jurisdiction of the court, properly so



called, viz. its power of trying causes, and the power of the King, by virtue of his prerogative as wielded by this court, accurately and authoritatively pointed out in Bourne's case, 17 Jac. I. [Cro. Jac. 513.].

Richard Bourne was imprisoned at Dover by the Lord Warden of the cinque ports, because he took an anchor and cable as wreck, in the liberty of the rape of Hastings, which the Lord Warden pretended to be within the cinque ports, and to appertain to him, because he hath the jurisdiction of the Admiralty there; and being for twenty-three weeks imprisoned there, an *habeas corpus* was granted to remove the body *cum causâ*, and the Lord Warden of the cinque ports would not obey it. Wherefore now in open court an *alias habeas corpus* was prayed with a penalty, because the Lord Warden pretended that this writ was not awardable to the cinque ports, nor returnable by him, for he pretended that the King's writ ran not there; and a precedent was cited in this court, 43 Eliz., that one Browley was committed in Berwick, and a writ of *habeas corpus* being awarded, the mayor of Berwick would not obey it, because it was pretended that the King's writ ran not there, for that it was part of Scotland, and no part of England, and was an exempted jurisdiction after it was annexed to this Crown; but such pretences were disallowed, and an attachment was awarded against the mayor, and he was imprisoned and fined for his contempt. Montague (C. J.) said, that the privilege of the cinque ports, that the King's writ runs not there, is to be intended between party and party, but no such privilege can be against the King, and this writ is a prerogative writ, which concerns the King's justice to be administered to his subjects, for the King ought to have an account why any of his subjects are imprisoned, and it is agreeable to all persons and places, and no answer can satisfy it, but to return the cause with *paratum habeo corpus*, &c. and this writ hath been awarded out of this court to Calais, and all other places within the kingdom; and to dispute it is not to dispute the jurisdiction, but the power of the King and his court, which is not to be disputed; and of this opinion were all the other justices. Doderidge said that he had oftentimes seen, where an alderman or any other officer was displaced without cause, that a writ of restitution had been awarded hence to the cinque ports, and that he remembered the case of one Brierley, where it was so awarded. Wherefore they all held that a *habeas corpus*, with a great penalty, should be awarded, returnable at another day.

Thus this writ of *habeas corpus* issues

from the Court of King's Bench to palatine jurisdictions as to the cinque ports. The same as to the county palatine of Durham; this is taken for granted, 2 Roll's Abr., 296 pl. 6 and is so laid down by Lord Hale. [3 Bac. Ab. *habeas corpus* b. 6.] "A *habeas corpus* was directed to the Chancellor of Durham, by which he was directed to make a precept to the sheriff to have the body of J. S., with the cause of his commitment, *coram domino rege apud Westm.* The chancellor returned, that he made a precept to the sheriff to have his body before him (the chancellor), with the cause of, &c., who accordingly returned cause and the body before him, and sets out the cause and *hæc est causa detentionis; et per Hale (C. J.): et habeas corpus ad faciendum et recipiendum* directed in this manner is good; *secus* of a *habeas corpus ad subjiciendum*, for the King may send his writ to whom he pleases, and he must have an answer of his prisoner wherever he be; there is a great deal of difference between a *habeas corpus ad subjiciendum* and other *habeas corpus*, for this is the subject's writ of right, in which case the county palatine hath no privilege. In 31 Edw. I. a *habeas corpus ad subjiciendum* was directed to the Bishop of Durham, who returned, that he was a count palatine, and therefore was not bound to answer the writ, for which he was fined £4,000. Hill 17 Car. I. a *habeas corpus* was directed to the Bishop of Durham to return the body or one Rickoby, and resolved that the writ did well run thither. These prerogative writs run into the annexed dominions of the Crown, as to Jersey and Guernsey. This is so laid down in the Berwick case, "*Rex v. Cowle*." [2 Burr. 856], and in 1 Vent. 357; and into conquered countries, as to Ireland 1 Vent. 357; to Wales, see Sir John Carew's case, Cro. Jac. 484; and "*Rex v. Grifith*," 3 T. R. 658; to the plantations, as said in "*Rex v. Cowle*." And Lord Hale lays it down as quite certain that a *habeas corpus* may be issued where a statute has prohibited a *certiorari*, 1 Mod. 103. Nothing can more strongly mark its independence of the power to try the cause. I cannot better sum up the doctrine on this matter than in the words of Lord Mansfield's judgment, in the case of the town of Berwick, "*Rex v. Cowle*," which I have already mentioned. [2 Burr. 856.] He says:

Another objection is, that the King's writ does not run there. That is applicable only to the writ of *venue* and other jury process, or perhaps to original writs which are the commencement of suits between party and party. "Writs, not ministerially directed (sometimes called prerogative writs, because they are supposed to issue on the part of the King), such as writs of *mandamus*, prohibition, *habeas corpus*, *certiorari*, upon a proper case, may issue to every dominion of the Crown of England. There is no doubt as to the power of this

this court, where the place is under the subjection of the Crown of England; the only question is as to the propriety. To foreign dominions, which belong to a prince who succeeds to the throne of England, this court has no power to send any writ of any kind. We cannot send a *habeas corpus* to Scotland, or to the Electorate; but to Ireland, the Isle of Man, the plantations, and (as since the loss of the duchy of Normandy, they have been considered as annexed to the Crown, in some respects) to Guernsey and Jersey we may; and formerly, it lay to Calais, which was a conquest, and yielded to the Crown of England by the treaty of Bretigny. But, notwithstanding the power which the court have, yet where they cannot judge of the cause, or give relief upon it, they would not think proper to interpose. Therefore, upon imprisonments in Guernsey and Jersey, in Minorca, and in the plantations, I have known complaints to the King in Council, and orders to bail or discharge; but I do not remember an application for a writ of *habeas corpus*: yet cases have formerly happened of persons illegally sent from hence and detained there, where a writ of *habeas corpus* out of this court would be the properest and most effectual remedy. In Cro. Jac. 543, a precedent is cited in 43 Eliz. of a *habeas corpus* to Berwick. I have caused the records to be searched for that case; and the orders of the court and return to the writ of *habeas corpus* are found. The court had fined the mayor and bailiffs of Berwick £2,000 for not returning the writ: they had also issued an *alias habeas corpus*. Then the *alias habeas corpus* not being returned, they ordered the fine to be created; and that a *pluries habeas corpus* should issue, *sub pena 500 marc.*, returnable immediately before the Chief Justice, at his chambers, in Serjeant's Inn. At the same time they issued an *alias attachment* against the mayor and bailiffs; and ordered Lord Willoughby, then governor of the town of Berwick, to execute it, returnable *octabis Hilarii*. The next day, the estreat of the fine was suspended upon Henry Brearley's being discharged out of prison, and bailed to appear in this court at the octave of St. Hilary (the return of the attachment against the mayor and bailiffs). In Hilary term they are ordered to return the *pluries habeas corpus*; and afterwards, the mayor and two of the bailiffs were committed and examined upon interrogatories, as in contempt, and two of them were ordered to find bail at the suit of Henry Brearley before they were discharged. As to the other prerogative writ of prohibition, it was taken for granted in 2 Ro. Abs. 202, that a prohibition lay out of this court to the Consistory Court of Durham, in a matter arising in Berwick; though the suggestion that the land out of which the tithes were claimed lay in Scotland and not in Berwick, was held insufficient. (How Berwick came to be a part of the diocese of Durham I have not learned.) A *certiorari*, for a proper purpose, lies to any dominion of the Crown of England. Mr. Justice Dodderidge, in Sir John Carew's case, says the register, makes mention of a *certiorari* to remove a record taken at Calais."

This power of command, or *potestas imperii*, as possessed by the King's supreme courts, distinct from their powers of deciding between party and party, or, judging of criminal accusations, is exercised in the higher branches of it, by means of issuing the King's commands, signified by what are called the prerogative or mandatory writs of the Crown, and in the case of all the King's superior courts greatly exceeds their judicial power, or *potestas jurisdictionis*, in a limited sense; their power, in a word, of deciding between party and party, or judging in suits or complaints. The Lord Chancellor and the Court of Common Pleas issue writs of *habeas corpus*, the highest prerogative and mandatory writ of the Crown, in cases of persons who are imprisoned for crimes, though they have no criminal jurisdiction, in the limited sense of the

word; and not only have they the power, but they cannot, consistently with their oaths, refuse to issue such writ, sufficient cause being shown, though it should be obvious, when it is applied for, that the cause is one in which they have no jurisdiction. [Bushell's case, Vaug. 155. Wood's 2 Blac. 745. Crowley's case, 2 Swans. 66.] The courts of common law in like manner are bound by oath to issue writs of *habeas corpus* in ecclesiastical cases, though having no jurisdiction in them. [2 Swans. 615.] To this effect is the answer of all the judges of England and the barons of the Exchequer to the 22d of the articles, exhibited by the Archbishop of Canterbury, in the name of the clergy, 3 Jac. 1. to the Lords of the Privy Council against the judges, called by Lord Coke *articuli cleri* 3 Jac. "We do not, neither will we, in any ways impugn the ecclesiastical authority in any thing that appertaineth unto it; but if any, by the ecclesiastical authority, commit any man to prison, upon complaint unto us that he is imprisoned without just cause, we are to send to have the body, and to be certified of the cause; and if they will not certify unto us the particular cause, but generally, without expressing any particular cause, whereby it may appear unto us to be a matter of the ecclesiastical cognizance, and his imprisonment be just, then we do, and ought, to deliver him; and this is their fault and not ours. And although some of us have dealt with them to make some such particular certificate to us, whereby we may be able to judge upon it, as by law they ought to do, yet they will by no means do it, and therefore their error is the cause of this, and no fault in us; for if we see not a just cause of the parties' imprisonment by them, then we ought, and are bound by oath, to deliver him."

These three propositions, therefore, are perfectly established. 1. That the King's mandatory writs run by virtue of his prerogative royal to all the dominions of his Crown of England, whether within the realm of England, or, being foreign dominions of this Crown, annexed or conquered, or in any way acquired, superseding all franchises, grants of jurisdiction, exemption, and privileges whatsoever. 2. That these writs, so directed, it is part of the duty of the Court of King's Bench to issue. 3. The limits of the jurisdiction of any court to try causes, afford no measure of its power to issue the prerogative writs of the Crown, either in respect of the territory in which they are to run, of the persons to whom they shall be directed, or of the matters they may concern and grow out of. The single question which remains is this:—Is the Supreme Court of Bombay, within the territories subject to this presidency, vested

vested with the powers and authority of the Court of King's Bench to issue the prerogative writs of the Crown?

This question must be determined: 1st. By the words of the letters-patent; and 2d. By the several acts of Parliament which relate to the establishment and power of the King's courts in India.

1. The charter, page 10 of the printed copy, contains the following words:—"and it is our further will and pleasure, that the said Chief Justice and the said Puisne Justices shall, severally and respectively, be, and they are all and every of them truly appointed to be, justices and conservators of the peace and coroners within and throughout the settlement of Bombay, and the town and island of Bombay and the limits thereof, and the factories subordinate thereto, and all the territories which now are, or hereafter may be, subject to, or dependent upon, the government of Bombay aforesaid, and to have such jurisdiction and authority as our justices of our Court of King's Bench have and may lawfully exercise within that part of Great Britain called England, as far as circumstances will admit."

These words are as ample as can be framed, they confer all jurisdiction and authority of the justices of the Court of King's Bench in England on the justices of this court, to be adapted to the circumstances, and limited by them in the discretion of the justices, but declaring that they shall extend to the utmost limits "which the circumstances will admit;" and they expressly give these powers "throughout all the territories which now are, or hereafter may be, subject to, or dependent upon, the government of Bombay," without limitation of any kind. It is not, and cannot be denied, that the issuing prerogative writs of the Crown to all persons and places within these territories, is among the powers which these words confer, and therefore it is to be inquired first, whether there are any subsequent words in the charter which do away these words altogether, so that they must be taken *pro non scriptis*, or which limit them so as totally to alter their meaning. And here I would observe, that a grant in general words, adding "so far as not herein-after limited," &c. and a grant in limited words, expressed affirmatively, "so far only as hereinafter mentioned and declared," are quite usual and intelligible. But a grant expressed in the most extensive and unlimited words, truly meant to be a limited and restricted grant, is not usual, and can in general only accomplish its purpose by direct and positive subsequent words, of express limitation and restriction. This is so plain, that it is an admitted rule of construction that such limitation is not to be inferred unless indeed by necessary implication.

Still less is it to be inferred by less than necessary implication, in a charter or statute conferring a beneficial jurisdiction on a supreme court of the King.

Secondly, it is to be inquired whether any statute has limited the power of the Crown in the grant of this jurisdiction and authority.

In regard to the first question, we must examine the letters-patent; and I agree with Mr. Advocate-General, that we must, if possible, construe them so that the whole may stand together.

1. On page 11 of the printed copy, it is granted, that "all writs, summonses, precepts, rules, orders, and other mandatory process to be used, issued, or awarded by the said Supreme Court of Judicature at Bombay, shall run and be in the name and style of our heirs and successors and shall be sealed with the seal of the said Supreme Court of Judicature at Bombay," which seal is by a preceding clause appointed "to bear a device and impression of our royal arms." These words are general. It cannot be doubted that they include power to issue the mandatory writs of the Crown; and all these writs are to issue as at Westminster. They are to run in the name and style of the King, and to be sealed with a seal bearing the royal arms.

Then comes the clause on p. 18, relative to the hearing and determining suits and actions.

And we do further direct, ordain, and appoint, that the jurisdiction, powers, and authorities of the said Supreme Court of Judicature at Bombay, shall extend to all such persons as have been heretofore described, and distinguished in our charter of justice for Bombay, by the application of British subjects who shall reside within any of the factories subject to, or dependent upon, the government of Bombay, and that the said court shall be effectual, and shall have full power and authority to hear and determine all suits and actions whatsoever against any of our said subjects, arising in territories subject to, or dependent upon, or which hereafter shall be subject to, or dependent upon, the said government, or within any of the dominions of the native princes of India in alliance with the said government, or against any person or persons, who, at the time when the cause of action shall have arisen, shall have been employed by, or shall have been, directly or indirectly, in the service of the said United Company, or any of the subjects of us, our heirs, or successors.

This clause confers a power to hear and determine suits and actions, words which I take to be equivalent to the words *communis placita*, and clearly to mean civil suits and actions. And accordingly, in a subsequent part of the same clause, they are called civil suits and actions. Now, it will be observed that the general and leading clause of the letters-patent confers on the court the jurisdiction of the Court of King's Bench, and none other, in which jurisdiction the trial on *communis placita*, or ordinary civil suits and actions, is not included. So that without this clause now under consideration, the court would have had no power

power to try any suits and actions, except: 1. Trespases, *vi et armis*, replevins, &c. 2. Common pleas, by bill, against officers of the court and persons in the custody of the marshal. 3. At the instance of the officers of the court.

I am aware that it might possibly have been thought that the jurisdiction, which the Court of King's Bench has established by fiction and long possession, was included in the general words above, "such jurisdiction and authority, 1. as our justices of our Court of King's Bench have, and may lawfully exercise within that part of Great Britain called England." But it must have been exercised in the same way, if it could be so conferred, the same bill, the same fiction set forth, the same form of pleading, the same trial by jury. Therefore, it was thought right to place the civil jurisdiction for the trial of causes on a totally different footing, and leaving the King's Bench jurisdiction, powers, and authorities, to the operation of the first clause in the grant, to confer the jurisdiction for trial of civil causes in a specific and separate clause of the charter. It was intended to confer this jurisdiction, which was to be added to the proper jurisdiction of the King's Bench, only to a limited extent in respect of the persons who should be subject to it, but to leave it co-extensive with the supreme jurisdiction and authority of the court as a court similar to the Court of King's Bench in respect of territory. It was intended, however, altogether to alter the mode of exercising it from that practised by the King's Bench, in its process, in its pleadings, and in its mode of trial. It was much more convenient to do this by separate clauses of the charter, leaving the general grant of the power and authority of the Court of King's Bench untouched. I think this is what was done. I agree entirely that the first words of this clause are to be taken as connected with what follows, to which, both by a just position and by the most natural grammatical construction, they appear to be prefatory. When it says, therefore, the jurisdiction, powers, and authority, of the said Supreme Court shall extend to all such persons as have been heretofore described and distinguished by the appellation of British subjects, &c., it means "jurisdiction to hear and determine suits and actions." They are affirmative words, not words of limitation; and, thus construed, are not inconsistent with any preceding words, and taken altogether are consistent also with the acts of Parliament. Whereas, if the first part of the clause, instead of being considered introductory of what follows, is to be taken by itself as expressive of the whole extent of the jurisdiction and powers of the court, it limits them to British sub-

jects who shall reside within any of the factories subject to, or dependent upon, the government of Bombay; a word very vague and undefined as applicable to this presidency, and which, I believe, has never yet been attempted to be defined here. It must mean more than the town and island, and less than the territories; but if it means less than the territories, then these words are repugnant to the express words of the act of Parliament. The act 4 Geo. IV. c. 71, whereon the charter is founded, and which it recites, makes no mention of factories; but it enacts, that it may be lawful for his Majesty to establish a court at Bombay, with power to exercise such jurisdiction both over natives and British subjects, and to be invested with such power and authorities within the said town and island of Bombay and the limits thereof, and the territories subordinate thereto, and within the territories which then were, or thereafter might be, subject to, or dependent upon the said government of Bombay, as the said Supreme Court of Judicature at Fort William in Bengal, by virtue of any law then in force, was invested with, within the said Fort William, or the places subject to, or dependent on, the government thereof. And the powers and authorities of the Supreme Court at Fort William, in regard to British subjects, extend by divers acts of Parliament, which I shall presently mention, over all the territories dependent or to become dependent on that presidency, without any limitation to factories, or any other description of places within them. Unless, therefore, this introductory member of the clause, as I consider it, be construed in relation to what follows, and as explained by it, it must be rejected as repugnant. As affirmative words, and relative to what follows, they are by themselves short of the intention; but they are not inconsistent with it, and are extended, and the meaning is fully developed, by the words which immediately follow, referring to all the territories subject to the said government. As restrictive words, if being affirmative, and large words having preceded them, they could be so construed, and were not to be construed *secundum subjectam materiam* of the whole of the clause taken together, they would be repugnant to the other parts of the charter and to the statutes, and void.

The next clause gives power to hear and determine suits and actions brought against the inhabitants of Bombay. The same observation applies to this clause. It relates to civil suits only. There is nothing in either of these clauses giving power to issue any writ, nor any thing said about the issuing of writs.

The next clause to be considered is on  
p. 22,

p. 22, directing the mode of commencing and prosecuting civil suits, "upon any cause of action upon which the said court can hold plea." The proceeding is to be by summons, or precept in nature of a summons, to be issued by the court on a plaint or bill in writing, commanding the sheriff to summon the defendant. Witnesses are to be summoned in like manner; and the court, on hearing the parties and considering the depositions of the witnesses, is to give judgment according to justice and right. The court is thus to proceed on the depositions of witnesses, without the verdict of a jury. No part of this proceeding could have taken place under the first clause, conferring the powers of the Court of King's Bench; but to enable a court vested with all the powers of the King's Bench to proceed in this manner, this specific and separate appointment was necessary.

The court is directed to issue writs of *capias*, and writs of sequestration. It is also created a court of oyer and terminer and gaol delivery, in and for the town and island of Bombay, and the factories subordinate thereto. This clause cannot rescind the first clause. It is descriptive of certain specific powers, to be exercised within a certain territory, and it supplies the means of giving effect to them by the establishment of grand juries for the inquiring, and of petit juries for the hearing and determining, of crimes; and it gives power to inquire, hear, and determine, by means of the same juries, composed of the inhabitants of Bombay, of all crimes committed by his Majesty's subjects, interpreted to mean British subjects, committed in any of the territories subject to the government of Bombay, how far soever removed from the vicinage of the jury. It empowers the court also to try the King's subjects, meaning his British subjects at Bombay, for crimes committed in the dominions of native princes of India in alliance with the government of Bombay. None of these powers could be exercised under the general grant of the jurisdiction of the justices of the Court of King's Bench, except the trial of crimes committed within the territorial jurisdiction of the court, i. e. the territories subject to the presidency, and this by juries of vicinage; but there being no provision for the summoning of juries, this is a jurisdiction which the court could not exercise without the clause in question, and this clause having confined its exercise, through these means, to the locality and to the persons mentioned, the power of the court as Court of King's Bench to try crimes elsewhere than in Bombay, it cannot exercise; and, in truth, crimes are rarely tried in England but under commissions of oyer and terminer and gaol delivery; but no one

ever inferred from this that the Court of King's Bench was therefore stripped of any part of its jurisdiction; nor can it possibly be inferred here, that because there are powers of the Court of Bench, which it cannot, without farther provisions, exercise, it is stripped of those powers of the Court of King's Bench which it can exercise. Among the most important of these to the safety of the King's subjects of all descriptions, and to the due execution of justice by all persons charged with administering it, is the power of the King's supreme court to issue the prerogative and mandatory writs of the Crown.

In the clause authorizing the trial of the King's subjects by a jury of the presidency for crimes committed elsewhere, mention is made of the issuing writs for arresting and seizing the bodies of offenders. In a subsequent part of the letters-patent, it is declared that the courts of request and quarter sessions, and the justices and magistrates appointed for the town and island of Bombay, shall be subject to the order and control of the supreme court, in the same manner as inferior courts and magistrates in England are subject to the Court of King's Bench; and mention is made in this clause of issuing writs of *mandamus*, *certiorari*, *procedendo*, or error, to such courts and magistrates, i. e. to the courts of quarter sessions and court of requests for the town and island of Bombay.

These are all the parts of the letters-patent which it is necessary to notice in regard to the present question. It will be observed that there are no words whatsoever, in any part of this charter, which confer or make mention of a power to issue writs of the Crown in any cases whatsoever except the cases above-mentioned; of writs of execution against houses, lands, and goods, in nature of writs of *capias*, in certain cases, and writs of *mandamus*, *certiorari*, *procedendo* or error, to the court of quarter sessions and court of requests for the town and island of Bombay. Unless, therefore, under the clause conferring on the justices of this court the powers of the justices of the King's Bench, they have no power to issue any of those prerogative writs of the Crown except to the quarter sessions and court of requests in Bombay; in no case can they issue writs of *habeas corpus* of any sort, though not directed to a British subject or servant of the Company, or even to a resident in the town or island of Bombay.

But this is not a construction that has ever been put upon the charter. No one has ever supposed, nor is it argued, that the court cannot issue writs of *habeas corpus* directed to British subjects and persons in the Company's employ, and to persons within

within the town and island of Bombay; and writs of *habeas corpus* are issued by the Supreme Courts at the other presidencies, under the same authority as is possessed by this court, namely, the grant by the King of such jurisdiction and authority as the justices of the Court of King's Bench have and may lawfully exercise in England. Nor have I ever heard of the exercise of this power having been questioned, though it was exercised at Madras in a case as likely to excite opposition as can be supposed, and which, standing as it does unimpeached, sets this question at rest till it shall be shown to have been ill-decided. But I will first notice one case at Madras where a writ of *habeas corpus ad subjiciendum* was issued in a domestic case, in some particulars resembling this, and where the proceeding was according to the just principles of the law of England adapted to the domestic right of a Hindoo family. On the 27th April 1811, a *habeas corpus* having been obtained by the father of a Hindoo girl, about fourteen years of age, it appeared by the return that she had been living for seven or eight years with her uncle, till lately, with the consent of her father, who was in low circumstances; that the habits of the father were of the worst kind, and it also appeared that in point of Hindoo law he had forfeited his right to dispose of her in marriage. The girl being of an age to judge for herself, she satisfied the Chief Justice that her residence with her uncle was with her free will. She was permitted to act according to her own inclination. ["*Rex v. Kistnama Naick*," 2 Madras cases, 251.] In a case but one month before, on the 29th March, a *habeas corpus ad subjiciendum* had been obtained to bring up the body of a Portuguese young lady, of the age of fourteen, at the instance of her father. In this case she appeared before the whole court, and having satisfied the court that she was at the house she was brought from by her own consent, she was informed that she was free, and she returned with the person who brought her up. ["*Rex v. Miller*," *Id.* 249.] It would be difficult to justify these proceedings under a clause conferring the jurisdiction of the King's Bench, but limiting its issue of prerogative writs to British subjects residing in factories, or under a clause empowering the court to hear and determine civil suits and actions brought against the inhabitants of Madras, or as court of oyer and terminer and gaol delivery, to inquire of, hear, and determine all treasons, felonies, &c.

But the case which appears to me to have decided the very point in this case is that of the "*King v. Morris*," which was a *habeas corpus* directed to officers of the household of the Nabob of the

Carnatic, to bring up the bodies of two ladies, the nabob's relations, said to be confined in his palace, in which he was residing, a sovereign prince by consent of the Governor General in Council, the territories subject to the Governor in Council of Fort St. George, for the purposes of the alliance between his said highness and the East-India Company, in which point of view it was contended by the Advocate-General, that he was not subject to the jurisdiction of the court. The persons, to whom the writ was directed, were declared by the return to be servants and officers in the military service of the nabob, commanding the sepoys who constituted his guard, and that as such officers it was their duty, under the nabob's orders, to place sentries over the houses of the members of his family, including these ladies. Now, that the nabob was a sovereign prince, and so acknowledged by the sovereign of England, residing within the limits of the town of Madras, but as a sovereign, not subject to the jurisdiction of the court, was decided in the same court in an action of damages, brought against the nabob by one of these ladies for the very assault and false imprisonment, the latter of which was the ground of the above application for a *habeas corpus* ["*Zeibsen Nissa Begum v. the Nabob Azem ud Dowlah Behader*," 2 Madras cases 130.] This palace, therefore, was as much out of the local territory within which the court had jurisdiction to try suits and actions against all the inhabitants, and he himself as much exempted from its jurisdiction, as if he had been residing in his own capital. Yet, in the case of the *habeas corpus*, the court did not hesitate, after a full discussion of the question, to issue the writ, and on the return to discharge the ladies. ["*Rex v. Minesse and Co.*" 2 Madras cases, 122.] Here, therefore, was a writ of *habeas corpus ad subjiciendum* directed without the jurisdiction of the court for the trying of suits, actions, or complaints, to persons natives of India, and assuredly not servants of the Company or of any British subject.

I hold it, therefore, to be quite clear that the King, by these letters-patent creating this court, has given to its judges the power of issuing writs of *habeas corpus* throughout all the territories subject to the government of Bombay, as by his prerogative his Majesty might well do. But it has been argued that rights conferred on the East-India Company and certain acts of the King in Parliament have limited the prerogative in this respect. All the Company's rights are conferred by virtue of acts of Parliament: I will now, therefore, consider the several acts of Parliament which bear on the question of the powers of this court.

These

These are confined and limited by 4 Geo. IV. c. 71. sec. 7 recites the granting and passing: 1. letters-patent 26 Geo. II. 2. 37 Geo. III. c. 142; 3. 13 Geo. III. c. 63; 4. 39 and 40 Geo. III. c. 79. sec. 7 declares "that it is expedient that a supreme court of jurisdiction should be established at Bombay, in the same form and with the same powers and authorities as that now subsisting, by virtue of the several acts before-mentioned, at Fort William in Bengal;" and enacts, that it shall be lawful withal to erect a court at Bombay, with such civil, criminal, admiralty, and ecclesiastical jurisdiction, both as to natives and British subjects, and with such powers and authorities, privileges and immunities, for better administration of the same, and subject to the same limitations, restrictions, and control, within—1. The said town and island of Bombay; 2. territories subordinate thereto; 3. territories now, or hereafter, to be subject to, or dependent upon, the said government of Bombay, as the said Supreme Court of Judicature, at Fort William, in Bengal, by any law now in force, is invested with, or subject to, within the said Fort William and the places subject to or dependent on the government thereof. It is observable that there is no mention in this act of the word factories. The word territories is substituted for factories in 13 Geo. III. c. 63. Territories subordinate to town and island, must mean subordinate to the government of the town and island, which is the same as subject to. It is, therefore, necessary to see what the jurisdiction, power, and authorities, privileges and immunities, limits, restrictions, and control, are, which the said court at Fort William is invested with and subject to. By 13 Geo. III. c. 63, sec. 12: 1st. Power is given to the King to erect a supreme court, which court is declared by the act to have full power and authority to exercise and perform all civil, criminal, admiralty, and ecclesiastical jurisdiction. It is not said within what territory, nor to administer what code of laws, except as to the criminal law at Calcutta, which the court, being declared also of oyer and terminer and gaol delivery, may be taken to be declared to be the law of England, which has been, in truth, the law of Calcutta ever since 13 Geo. I. 2d. It shall be at all times a court of record. 3. It shall be a court of oyer and terminer and gaol delivery, in and for the town of Calcutta and factory of Fort William, and the factories subordinate thereto. 4. Its jurisdiction, powers, and authorities shall and may extend to all British subjects in Bengal, Bahar, and Orissa, and the Supreme Court shall have full power and authority to hear and determine all com-

plaints against any of his Majesty's subjects for any crimes, misdemeanors, or oppressions. 5. And to determine any suits or actions against any of his Majesty's subjects in Bengal, Bahar, &c. 6. Any suit, action, or complaint against any person in the service or employ of the East-India Company, or any of his Majesty's subjects. 7. Any suit or action of any of his Majesty's subjects against any inhabitant of Bengal, Bahar, and Orissa, upon any cause of action in writing exceeding 500 rupees, where the said inhabitant shall have agreed that the matter shall be determined in the said court. 8. So much of the charter of Geo. II. as relates to the establishment of the Mayor's Court at Calcutta, with all its civil, criminal, and ecclesiastical jurisdiction, shall cease, determine, and be absolutely void, on publication of the King's new charter. It is to be remarked, that there are no words in this act conferring on the new court any jurisdiction within the town of Calcutta and factory of Fort William, such as was possessed by the Mayor's Court under the charter of Geo. II.; the powers and jurisdiction of which Mayor's Court are not transferred to the new court, nor any words declaring or limiting its territory. The preamble of sect. 13 declares the evil which the enactment in that sect. is intended to remedy, to be the insufficiency of the charter of Geo. II. for the administration of justice, in special reference to the Company's possession of the territorial acquisitions before mentioned, viz. in sect. 7, the provinces of Bengal, Bahar, and Orissa; and it enacts the establishment of a Supreme Court at Fort William, to have full power to exercise jurisdiction of all sorts. It must have been intended that this should extend over these territorial acquisitions, as forming part of the territory of the court; what powers it was to possess, and what jurisdiction it was to exercise therein, is a different question. It appoints the number of judges, and ordains their salaries to be paid out of the said territorial acquisitions. To this, an act of Parliament was necessary. It authorises the conferring admiralty and ecclesiastical jurisdiction, and under the general words "all civil jurisdiction," it included equitable jurisdiction, within the town of Calcutta and factories. An act of Parliament was necessary to authorise any jurisdiction except according to the common law of England, the laws of England having been introduced there by Geo. I. in 1726. In regard to the powers of the court, 1. The territory they were extended over is not mentioned. 2. The extent of jurisdiction properly so called, which might be conferred, is alone set forth in the act; and this was authorised to

to be unlimited. The words are, "power and authority to exercise and perform all civil, &c. jurisdiction." The territory of the court (although the preamble of sect. 13 contemplates its including the provinces) is not named. The powers of the court, i. e. the *potestas imperii*, as distinguished from *potestas jurisdictionis*, are left without mention to the prerogative of the King. He might confer on it what sovereign powers or *imperium*, and what dignity, he thought fit, consistent with those which may be held by his judges by the laws of the realm. The extent to which the *potestas jurisdictionis* shall be conferred on the court, is left to the wisdom of the king; power only being given to the King, freed from the restraints on this prerogative by the common law, and exceeding the power of this prerogative. The statute is altogether enabling. There are no words of limitation on the King's prerogative, except, 1. That the new court shall not try any indictment or information against the Governor-General or any of the Council, for any offence not being treason or felony. 2. That none of the said persons or of the judges of the court shall be arrested upon any proceeding in the court, the prerogative can only be limited by express words, not by intendment, or inferring a negative from words of affirmance. The statute provides affirmatively that the court shall be a court of record, and a court of oyer and terminer, and goal delivery, in and for the town of Calcutta and factory of Fort William, and factories subordinate thereto, and that the charter shall extend and be effectual, and that the jurisdiction, powers, and authorities established by it shall extend to all British subjects residing in those provinces, and that the Supreme Court to be established shall have power to hear and determine criminal and civil complaints, suits, and actions against any of his Majesty's subjects in Bengal, Bahar, and Orissa, or any person employed by them, or in their service. By this clause, if the King had established a Supreme Court without expressly conferring such jurisdiction, it would have belonged to that court by force of the statute. It, in like manner, provides, affirmatively, that the court shall hear and determine any suits or actions of the description above-mentioned of any of his Majesty's subjects against any inhabitant of those provinces, in the cases mentioned. This jurisdiction would, therefore, in like manner, have belonged to the court by force of the statute. It may be said, that it is to be presumed from the words of sect. 14, that the jurisdiction of the court, and the power of the court, should extend to British subjects in the kingdoms or provinces of Bengal, Bahar, and Orissa only, except such persons as

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should be in their employ or service; and from the words of sect. 16, that the court should hear and determine such suits and actions only, against inhabitants not within the description of the King's subjects (in the meaning of the act,) as are therein described. But, 1. Although, if the act had erected the court, using the same words only, the power and jurisdiction of the court, so erected would have extended no further, for want of words conferring any other or further power and jurisdiction, supposing the general words in sect. 13 not sufficient, in an act erecting a court, to confer any definite jurisdiction, for want of words describing the territory; yet the case is very different where the court is to be erected by the King, in virtue of this prerogative, and the statute is only to give such further and additional powers to the King, in such erection, as he may not possess in virtue of this prerogative, and to provide such means for enabling the King to pay salaries to the judges of the Company, as can only be provided by parties. The erection of the courts, and all its powers and jurisdictions, are to emanate from the King. The words of his letters patent, or charter, are those which are to confer, describe, and limit its power and jurisdiction. These can extend no further than the King's grant, in any case of the erection of a court by letters patent, unless, as in the act under consideration, certain jurisdictions are declared by parties, which it shall exercise and possess by force of the statute. Its power and jurisdiction will, in all cases, extend as far as the words of the King's charter, not exceeding the powers of this prerogative, independent of the statute, and the powers not part of his prerogative, conferred by the statute, unless the statute limit and restrain the King's prerogative in its exercise, and then so far as it shall not be expressly so limited. No words are necessary in the statute to enable the King to confer jurisdiction and power, which he may confer in virtue of his prerogative; but parties may impose conditions on its grant of further powers, or of money, by way of limit on the prerogative. This cannot be done by omission, for where the King has certain powers by this prerogative, and certain other powers, which he has not by this prerogative, are conferred by statute, it were an inference contrary to reason that all powers, by virtue of the prerogative, were abolished, and the King's powers limited, without words of limitation to such powers as are mentioned in the statute, *per expressum*. 2. No limit can be imposed upon the prerogative by presumption or intendment, or otherwise than by express words, or necessary implication. There are no express words of limitation,



limitation, except as before mentioned. There is no necessary implication of any such limit. Sect. 13 declares the Company shall have all civil, &c. jurisdiction, but it names no territory. The appointment of the territory remained with the King. He might, perhaps, limit it to Calcutta, though this is doubtful. But sect. 14 enacts, that whatsoever territory shall be assigned, and whatever other jurisdiction may be conferred, or may be competent to be granted, it shall have jurisdiction over all the King's subjects, or British subjects, and their servants. And sect. 16, in like manner, enacts, that it shall have jurisdiction to determine actions by British subjects on obligations by other inhabitants exceeding 500 rupees, where the obligee has consented. The power of the King to grant such jurisdiction is not noticed. Neither its existence, nor its non-existence, is implied. They are not enabling words. They have no reference to the King, or any act to be performed by the King. They are enacting words, no further depending on an act of the King than that they apply to a court to be erected by the King. The power of the King to grant any further or other jurisdiction is not noticed. It is not declared, not denied, not confirmed, not limited. Its exercise, if it exists, is not inconsistent with the enactments. If the object was to controul acts of oppression and injustice committed by the Company's servants, and by British subjects residing under the protection of the Company, these enactments were necessary. The matter was not fit to be left to the advisers of the Crown, to be done by virtue of the prerogative. It was necessary to be provided for by Parliament. It was so done by direct words, not enabling, but enacting. There is no inference from this that the prerogative did not extend to the grant of such jurisdiction. The above object did not require any other exercise of jurisdiction but this over British Subjects, &c. No other exercise of jurisdiction, therefore, is enjoined by Parliament. There is no inference that the prerogative does not extend to the grant of much larger jurisdiction. But it might safely be left to the wisdom of the Crown, in other matters, to exercise the prerogative or not, as the King should be advised. There is, therefore, not even what would amount to a fair presumption, if it were not a case of the prerogative of the Crown, that such limit was intended. 2. The act 13 Geo. III. c. 63, was explained and amended by 21 Geo. III. c. 70. The preamble of this act sets forth, that doubts and difficulties had arisen concerning the intent and meaning of the 13 Geo. III. c. 63, and the letters patent of the King, of 26th March, 14 Geo. III. granted in

virtue thereof; and it recites three objects for which it is expedient to provide, *viz.* 1. The supporting the lawful government of the provinces of Bengal, Bahar, and Orissa. 2. That the revenues thereof should be collected with certainty. 3. That the inhabitants thereof should be protected in the enjoyment of all their ancient laws, usages, rights, and privileges; for these purposes, the statute limits the jurisdiction and powers of the court in eight additional respects: 1. It enacts that the Governor-General and all the members of Council shall not be subject to its jurisdiction by reason of any thing done in their public capacity only. This includes civil actions, they not being liable to any indictment or information except for treason or felony, by 13 Geo. III. c. 63. 2. It enacts that if any person shall be impleaded in any action or process, civil or criminal, for any act done by the order of the Governor-General and Council, in writing, he may plead the general issue, and give the order in evidence, which, with proof that the act has been done according to the purport of the same, shall amount to a sufficient justification, provided that with respect to such orders, it shall extend to any British subject, the court shall retain as full and competent jurisdiction as before. 3. It enacts that the Supreme Court shall not have any jurisdiction in any matter concerning the revenue, or concerning any act ordered or done in the collection according to the usage and practice of the country, or the regulations of the Governor-General and Council. 4. That no person by reason of his being employed by the Company or by a British subject shall become subject to the jurisdiction in any matter of inheritance or succession, or contract or dealing, except in actions for wrongs or trespasses, and except in a civil suit by agreement of parties in writing, to submit the same to the decision of the court. 5. It provides and enacts that the Supreme Court shall have full power and authority to hear and determine, in such manner as it is provided in the said letters patent, all actions and suits against all the inhabitants of the said city of Calcutta, under this proviso—that their inheritance and succession to lands, rents, goods, and all matters of dealing between party and party, shall be determined by the laws and usages of the Mahomedans and Gentils, where they are parties, in the manner therein stated. 6. It enacts, in order that regard may be had to the civil and religious usages of the said natives, that the rights and authorities of fathers and masters of families as by the Gentil or Mahomedan law shall be preserved to them within their said families; nor shall acts done in consequence of the rule or law of caste respecting

specting the members of the families only, be held and adjudged a crime, although not held justifiable by the laws of England. 8. It enacts that no action for wrong or injury shall lie in the Supreme Court against any person exercising a judicial office in the country courts for any judgment, decree, or order of the Supreme Courts, nor against any person for any act done by or in virtue of the order of the said court. The jurisdiction on criminal information against any such officer or magistrate for any corrupt act or acts is expressly preserved, and the mode of proceeding prescribed by notices, &c. for their due protection. This act contains no enactment regarding the territory of the court, but leaves it, as by the former act, to the King's prerogative. It contains nothing regarding the powers of the court, as distinct from its jurisdiction, in the hearing and determining complaints, suits, and actions. It recognises the existence of country or provincial courts, but it says nothing of their powers or mode of appointment. It sanctions the power of appeal exercised by the Governor-General and council, or some committee thereof, or appointed thereby, from such country courts, in civil causes, and declares such court of appeal as a court of record, and its judgment final, except upon appeal to his Majesty in suits of the value of £5,000 and upwards. Those country or provincial courts being known to exist by appointment from the East-India Company, it may be held that this recognition of them is a parliamentary recognition of the right of the Company to nominate these judges, and thus to possess the highest judicial franchise of a subject in nature of a Palatine jurisdiction. I think it is a recognition of the power of this corporation to name judges to try civil causes in the provinces. These judges and magistrates are recognized also by sects. 24, 25, and 26. There is no direct recognition of them in the act as trying other than civil suits. The words granting an appeal to his Majesty in civil suits only, and the word magistrates, cannot be held a direct recognition; though, joined to so long and notorious exercise of criminal jurisdiction, it would be much to say that Parliament was ignorant of it, and meant only to protect them in exercising civil jurisdiction. I incline to think it must be held to have been intended to protect them in the execution of their office, such as that office then was, with such judicial powers as they then exercised in virtue of such commissions as they then held from the corporation, not being contrary to, or exceeding the powers judicial officers may lawfully hold. But I think it would be much to say that this sanction

by implication would define the franchise of the Company; much less could create in them any franchise which should exclude the exercise of the King's prerogative to grant his commission to judges to administer justice within any part of the dominions of the Crown, and to introduce into conquered countries such laws as he thinks fit, without direct and positive words. If the above enactments shall even be construed to be a parliamentary recognition of the right of the Company to try causes civil and criminal by their courts, it must be taken, as against the King's prerogative, to be a recognition of such franchise as shall be concurrent with such courts as the King may establish not exclusive of them. As they can have no such franchise in any part of the King's dominions but by grant, the nature of their franchise must depend on the words of that grant. It is therefore necessary to go further back to the charter of Will. III., by 5 Anne, c. 17, the indent tripartite to which it refers, Lord Godolphin's award, and the surrender and acceptance of all former charters by and from the old East-India Company to the Crown. The East-India Company, as then constituted by union of the old and new Company, rested solely on the charter of Will. III. and the act 9 and 10 Will. III. c. 44, authorising it, and the said act 6 Anne, c. 17, confirming it. The charter contains no grant of a franchise relating to the administration of justice. It grants "the ordering, rule, and government of all such forts, factories, and plantations as shall be at any time hereafter settled by or under the said Company," and gives them power "to name and appoint governors and officers," such governors and officers being empowered to raise, train, and muster military forces according to the directions of the Company, "the sovereign right, power, and dominion over all the said forts, places, and plantations, to us, our heirs and successors, being always reserved." But the administration of justice is specially provided for by the election of "one or more courts of judicature, to be held at such place or places, fort or forts, plantations or factories, upon the said courts as the said Company shall, from time to time, direct and appoint," consisting of "one person learned in the civil laws and two merchants, &c." This court had no power to judge except in civil causes described in the letters patent. These gave the Company no franchise except to name these judges from time to time. It was, at most, a franchise *teneré placitū*, but not of *consensu de pleas*. There are no words of exclusive jurisdiction. The King retained his prerogative of establishing such other courts for civil justice as

he might think fit to commission, who would have had a concurrent jurisdiction; it was no franchise of criminal jurisdiction for which provision was made. This was left to a subordinate commission of the King, which does not appear to have been issued till 13 Geo. I. (1726) when a charter of justice was granted to the Company for the incorporating a mayor and alderman at each settlement—Madras, Bombay, and Calcutta. This charter was surrendered and a new one obtained 26 Geo. II. (1753). It erects corporations of mayor and aldermen as above. It nominates the first mayor and aldermen, appoints the mayor in future to be named by the Company's government and council out of two persons to be elected by the aldermen from their own number, and vacancies of aldermen to be supplied by the Governor and Council out of the principal inhabitants: it gives to this corporation of mayor and aldermen, created a court of record, power to try civil suits between party and party, within the town of Madras, or any of the factories subject or subordinate to Fort St. George, or to the Governor and Council, "except suits between the Indian natives of Madras only, in which case we will that the same be determined among themselves unless both parties shall be content to submit the same to the determination of the said mayor's court." It appoints the Governor and council for the time being to be justices of the peace in and for the town of Madras and Fort St. George, Fort St. David, Vizagapatam, the factories on the coast of Sumatra, and all other the factories subordinate to Fort St. George, in the same or the like manner, and with the same or the like power as justice of peace in England, to hold quarter sessions, and be a court of record, in nature of a court of oyer and terminer, and gaol delivery, and to be commissioner of oyer, terminer, and gaol delivery, for trying and punishing all offences (high treason only excepted) committed within the town of Madras, Fort St. George, or within any of the said factories or places subordinate thereto, to proceed by indictment, and in like manner as is used in England, as near as the circumstances of the place and consideration of the inhabitants will admit of; and it provides for grand and petit juries, &c. The same grant is made for Bombay and Calcutta. This was the subsisting charter of justice down to the 13th Geo. III., and except this, and the charter of King William III., the corporation had none till 13th Geo. III. The charter of King William conferred no franchise relative to the administration of justice, but the very limited one of the court of the civilian above-mentioned. The charter of Geo. II. confers no such franchise except that

by means of the Mayor's Courts in civil suits, and of the several governors and councils in criminal suits, and they were bound to administer the criminal laws of England all over the then possessions of the company. The civil jurisdiction, that of the Mayor's Court, so far from being exclusive, was not universal, the native inhabitants were specially exempted from it. The criminal jurisdiction of the governor and council was not exclusive—without all doubt the king might create other justices of the peace, and grant other commissioners of oyer and terminer, general or special, &c. Any exclusive franchise of the company to administer justice, must, therefore, be looked for elsewhere than in any charter or letters patent of the king; the first act of patent in which mention is made of the territorial acquisitions of the East India Company is 7th Geo. III. c. 57. Nothing is thereby enacted, but that "the said territorial acquisitions and revenues shall remain in the possession of the said United Company for two years. By 9th Geo. III. c. 24, they shall so remain for five years. 13th Geo. III. c. 63, Sect. 7, enacts, that for the government of the presidency of Fort William, in Bengal, there shall be appointed a governor general and four counsellors, and that the whole civil and military government of the said presidency, and also the ordering, management and government of all the territorial acquisitions and revenues in the kingdoms of Bengal, Bahar, and Orissa, shall, during such time as the territorial acquisitions and revenues shall remain in the possession of the said United Company, be and are hereby vested in the said governor general and council, and in like manner as the same now are or at any time heretofore might have been exercised by the president and council, or select committee in the said kingdoms." By sect. 9, a superintendence is given them over the government and management of the presidencies of Madras, Bombay, and Bencoolen, in certain terms. So much of the charter of Geo. II. as relates to the Mayor's court, at Calcutta, is abolished. The rest is confirmed by parliamentary sanction. The effects of the other enactment of 13th Geo. III. c. 63, have been already considered as explained and amended by 21st Geo. III. c. 70; the committing of the civil and military government, and the ordering and the managing the territorial acquisitions and revenues, to a Governor General to be appointed by the Company, with consent of the King under the sign-manual: and a Council can never be construed as conferring any judicial franchise on the Company, much less as diverting the Crown of its undoubted prerogative. The Governor General and Council, and the chief

chief justice, and other judges of the Supreme Court, are created by this act of parliament justices of the peace for the said settlement (Fort William), and for the several settlements and factories subordinate thereto; and the Governor and Council are authorised to hold Quarter Sessions, and declared a Court of Record: if, therefore, any grant of any judicial franchise to this corporation is to be found, it must be looked for in some subsequent act of parliament; meanwhile strong evidence is afforded by this act, 13th Geo. III. c. 63, of the understanding of parliament that the territory of the Supreme Court about to be established in Bengal, over which its sovereign and superintending power, its *potestas imperii*, as Lord Hale calls its power of commanding the attendance of all persons necessary for the execution of its duties, independent of and distinguished from its power of judging, was to be commensurate with the territorial possessions of the Company under the presidency of Calcutta. Sect. 40, enacts, that for the trial of indictments and information in the King's Bench (at Westminster) for offences in India, the said Court of King's Bench may issue a *mandamus* to the Supreme Court of Calcutta, and Mayor's courts of Madras and Bombay, to hold a court, and issue summons, &c. for attendance of witnesses to be examined, and their depositions in writing transmitted to the King's Bench. No additional powers are given by the act beyond those, the king was by his charter to grant; if the power of the court were not to extend over all the territories, this enactment would be nugatory. This, therefore, contained in the original act, making mention of the new acquisitions of these provinces, is a parliamentary declaration, that these provinces are within the territory of the Supreme Court, and that the power of the court extends over all persons native and British, though the jurisdiction may not; for it cannot be supposed that no witnesses should be examined but British subjects. In case of an information, &c. against the chief and puisne judges of the Supreme Court, the Governor and Council are to take examinations in like manner. If there had been a doubt of the authority of the Supreme Court, in the provinces, the act would have directed the Governor and Council to take depositions in the provinces, or to compel the attendance of natives and others residing there, otherwise, there would be a failure of justice, which cannot be imputed to parliament. (See also 21st Geo. III. c. 70, sect. 5; 4th Geo. III. c. 25, sect. 78; and 26th Geo. III. c. 57, sects. 27 and 28. The act 19th Geo. III. c. 61, enacts that "the territorial acquisitions and revenues lately

obtained in the East Indies shall remain in the possession of the United Company, &c. during the term of one year." It continues the powers of the Governor General and Council, &c. as by 13th Geo. III. c. 63, and declares that they "shall not be removeable excepting by his majesty, his heirs and successors, upon representation made by the Court of Directors." It provides and enacts, that nothing in the act contained shall affect the right of the Crown, or of the Company, after the expiration of the act. That 20th Geo. III. c. 56, continues the possession of the said territories and revenues to the Company for one year. The power of the Governor General, &c. is continued in terms of 13th Geo. III. c. 63, sect. 7, for a further time, removeable as by the last act by the King, on the representation of the Court of Directors; here is the same proviso, saving the rights of the King and the Company. The next act is the act 21st Geo. III. c. 65, renewing their right to an exclusive trade, &c. It continues to them all and every the profits, benefits, advantages, privileges, franchises, &c. &c. which by any former act or acts of parliament, or by any charter or charters founded thereon are enacted, given, granted, &c. and not by this act altered. It continues to them the exclusive trade till the expiring of three years notice after 1st of March. It enacts, that the territorial acquisitions and revenues lately obtained in the East Indies, shall remain in the possession of the United Company, &c. for and during the term of the exclusive trade granted." It prescribes how the profits of these territorial acquisitions shall be applied, and divided between the Company and the public. It ordains accounts of the gross amount of the territorial revenues received by the Company, and of all their disbursements, charges of management, civil and military, &c. to be made up, and delivered annually, to the commissioners of the treasury. It enacts, that all the rights, interests, powers, privileges, and authorities, now vested in the company, not by the act expressly taken away, varied, &c. shall remain in them. It limits the residence of British subjects in India without licence of the Company, and their lending money to foreigners, &c. It requires the Court of Directors to deliver to the commissioners of the treasury, and secretary of state respectively, copies of all letters and orders relating to the management of their revenue, or to their civil or military affairs, addressed to any of their servants in India, and they are to pay due obedience to, and be governed and bound by, such instructions as they shall receive, so far as relates to transactions with the country powers, and levying

ing war, and making peace. It continues the power of the Governor General and Council, removable by the Crown, as before. It gives power to the Directors to appoint a Governor General in case of vacancy, with the consent of the King, under the sign-manual and counsellors, also with the same consent. And it saves all rights and claims of the public, and of the Company, respecting the territorial acquisitions and revenues. By 24th Geo. III. c. 25, appointing the Board of Controll, the provisions with regard to furnishing copies of despatches to commissioners of the treasury, and secretaries of state, are superseded. The preamble declares the act to be "for the better government and security of the territorial possessions of his kingdom in the East Indies." It gives authority to the King to nominate commissioners for the affairs of India. It distinguishes the British territorial possessions in the East Indies, from the affairs of the United Company of merchants trading thereto, and gives to the said commissioners the superintendence and controul over both, and it enacts that they shall be fully authorized and empowered to superintend, direct, and controul all acts, operations, and concerns which in any wise relate to the civil or military Government or revenues of the British territorial possession in the East Indies." And the Court of Directors are required to pay due obedience to and to be governed and bound by such orders and directions as they shall from time to time receive from the said board, touching the civil and military government, and British territorial possessions in the East Indies. It is absurd, therefore, to talk of any government, civil or military, being vested in the Company after this statute. In the actual administration they participate, appointing their servants for the details of it. Their right of administration results from statute, and is not properly in nature of a franchise. It is not derived from charter, nor does it resemble any common law right. The whole property, *i. e.* the *dominium directum*, if those who have the *dominium utile* of the lands hold of any one, either by any sort of feudal or quasi feudal tenure, or by any right in nature of leasehold, is in the King, by the declaration that these countries are territorial possessions of the kingdom of Great Britain. The right of the company is derived from grant of the King in parliament of a certain interest in territorial possessions of the Crown, limited in amount of interest, and in duration, and not exceeding the express words of the statutes conferring it. By 26th Geo. III. c. 25, it is declared that the King's approbation of the appointment of the Governor General is not necessary. The

act 33d Geo. III. c. 52, continues the possession to the Company of the former and more lately obtained territorial acquisitions and exclusive trade, till the expiring of three years' notice after 1st March 1811. There is no alteration made in the powers of the Board of Controll, or the rights of the Company requiring notice. A most important enactment, however, is inserted, declaring "the Governor General and members of the Supreme Council at Fort William, and the chief justice, and other justices, of the Supreme Court at Fort William, then the only persons authorised by law to act as justices of the peace within and throughout the provinces direct of Bengal, Bahar, and Orissa." This declaration is very material. The Governor General and Council were made justice of the peace by the charter of Geo. II. The 13th Geo. III. c. 63, enacts that the Governor General and Council for the time being, the justice and other judges of the Supreme Court, shall act as justice of peace for the said settlement, and for the several settlements and factories subordinate thereto." There are no other words in any act of parliament creating the judges of Supreme Court justice of the peace. If, therefore, they are justices of the peace over the provinces of Bahar and Orissa, as they are by parliament declared to be, they must be so created by 13th Geo. III. by the words above cited, *i. e.* under the words "settlements and factories subordinate," or the King's commission going beyond the act, and creating them justice of the peace, as having the powers and jurisdiction of the justices of the King's Bench over all the territories, and all the inhabitants of those territories, not British subjects merely. If they were created justices of peace over the provinces of the words in the act, "settlements and territories," the provinces are no more settlements than they are factories, and they were thus erected, and are a court of oyer and terminer, and gaol delivery generally for the provinces as well as for the town of Calcutta; if these words are not sufficient, and I think they are not sufficient to bear this meaning, then they are justices of the peace over the provinces by virtue of the King's commission, granted by his royal prerogative without an authority from the statute, and this is a parliamentary declaration to this effect, and is consistent with the principles of the law, as above stated. The statute enacts that by commissions issued under the seal of the Supreme Court of judicature at Fort William, in the name of the King's Majesty, the Governor General in Council shall nominate and appoint some of the court and other British inhabitants to act as justice

justice of the peace within and for the said provinces, and presidencies, and places subordinate thereto; the persons appointed are to take the oath of justice of peace in England, i. e. to administer the law of England; and the act, in an expressly declaratory clause, not enacting, but providing and declaring, declares all proceedings before such justice of the peace to be removeable by *certiorari* into the court of oyer and terminer, and gaol delivery, which is to proceed, and to give judgment thereof, in like manner as the court of King's Bench, at Westminster: this is a particular declaration, that under the King's commission the said Supreme Court was vested with the powers of the Court of King's Bench to issue the presidency writs of the Crown, directed to any part of the provinces and territories subject to the presidency, without distinction of persons who may be commanded to obey them, whether they be British, or native, or foreign, and this clause is imperative upon the court; "it shall and may be lawful to and for any one or more of the justices of the said court of oyer and terminer, and gaol delivery, and such justice or justices is and are hereby required at the instant to grant his *fiat*, and to award a writ of *certiorari* under the seal of the Supreme Court of judicature, when the matter shall arise in Bengal, Bahar, or Orissa." If they can remove the cause, and they must remove by *certiorari*, they must *ex necessitate* have power to issue a *habeas corpus* to bring him before them, whosoever may have him in custody. By the acts above mentioned, the whole civil and military government of the British territories in India was declared vested in the Crown, the Court of Directors being permitted to issue orders to their servants in India, but only under the controul and subject to the directions of the King's ministers, his secretary of state, and others constituting the Board which his Majesty should appoint, and ever, in issuing these orders in the first instance, the Directors acted as servants of the King, and not of the company, for all power of altering or questioning such orders is expressly taken from the corporation. By 37th Geo. III. c. 117, for regulating the trade with India by ships of nations in amity with his majesty, the directors are ordained to make regulations for carrying on the trade in conformity with the act, which regulations shall be subject to the direction of the King's Board of Controul, in the same manner as all acts which relate to the civil and military government and revenues of the British territories in the East Indies now are; and it is enacted that it shall not be lawful for any General Court of Proprietors to alter, rescind, or suspend any such

regulations. It is impossible to frame an assertion of more entire and active sovereignty on the part of the Crown, or a more complete negation of any sovereignty in the corporation. By 37th Geo. III. c. 142, a Recorder's Court is established at Madras and Bombay. The general declaration of the powers to exercise jurisdiction as in the same words as that regarding the Supreme Court at Calcutta, viz. all civil and criminal jurisdiction; and they are to be court of oyer and terminer and gaol delivery "in and for Fort St. George and the town of Madras, and the limits thereof, and the factories subordinate thereto, and in and for the town and island of Bombay, and the limits thereof, and the factories subordinate thereto respectively." The clause enacting that their jurisdiction shall extend to British subjects is differently worded from a similar clause in 13th Geo. III. It is enacted "that the new charter, &c. shall extend to all British subjects who shall reside within any of the factories subject to or dependent upon the government of Madras and Bombay respectively." The clause proceeds "and the said courts, &c. shall have full power, &c. to hear and determine all and all manner of complaints against any of his Majesty's subjects for any crime committed, &c. and all suit, &c. arising upon or in territories subject to, or dependent upon, the said government, &c. Either factories and territories must be taken as synonymous, in which case these courts were to be courts of oyer and terminer, and gaol delivery, in and for all the territories subordinate to Madras and Bombay—or these words "the new charter, &c." and the jurisdiction, &c. shall extend to all British subjects who shall reside within any of the factories, &c. must be taken as referring to the immediately subsequent *scriptus*, as contradictory words relative to the hearing, and inconsistent with determining complaints, suits, and actions; and this I think the right construction, as I have already said in construing the letters patent, establishing this court of Bombay. The act then proceeds to embody the provisions of 13th Geo. III. and 21st Geo. III. regarding the Supreme Court at Calcutta. But with this difference, that the charter of Geo. II. so much of it as confers any civil, criminal, or ecclesiastical jurisdiction on the Mayor's Courts, or the courts of the presidents and councils, as courts of appeal, of oyer and terminer, and gaol delivery, is determined—together with "all judicial powers and authorities granted by any act or acts of parliament to the said Mayor's Courts or courts of appeal." "But the same shall and may be exercised by the court of judicature to be erected by virtue of this act in the manner, and to the extent herein

herein before directed." The charter in other respects is to continue in full force and effect. The acts 39th and 40 Geo. III. c. 49, after giving power to the court of judicature to divide the territorial acquisitions among the several presidencies as to them shall seem expedient, subject to control of the King's Commissioners, enacts "that all such territorial requisitions shall from and after the time, &c. be to all intents and purposes whatsoever annexed to and made subject to such presidency, and to the court or courts of judicature established, or to be established therein respectively." This again is a parliamentary declaration, that all the territories of the presidencies are subject to the King's Courts of judicature respectively. The extent of jurisdiction possessed within those territories is of course not hereby intimated. But it settles that these territories form the territory of the courts. This act gives power to establish a Supreme Court at Madras, to be the same with that at Calcutta. It enacts "that the power and authority (not jurisdiction, or power, &c. to exercise jurisdiction) of the Supreme Court of Fort William, &c. shall extend to and over the said province and district of Benares, and to and over all the factories, districts, and places, which now are or hereafter shall be made subordinate thereto, and to and over all such provinces and districts as may at any time hereafter be annexed and made subject to the presidency of Fort William, aforesaid." This is a declaration of territorial jurisdiction and *imperium*. Act 53d Geo. III. c. 155, provides and enacts "that nothing in this act, &c. shall extend, &c. to prejudice or affect the undoubted sovereignty of the Crown of the United Kingdom, and in and over the said territorial acquisitions, nor to preclude the said United Company, after the determination of the term hereby granted, from the enjoyment of a claim to any rights, franchises, or immunities which they now have, &c." This is a complete declaration of sovereign power in the King, subject to any franchise the Company may show. It is, therefore, clear that there is nothing in any act of parliament giving to the East India Company any franchise which can controul the exercise of the King's prerogative in granting commissions for the administration of justice within the British territories in India, and much to shew that it is, and always has been the understanding, and intention of parliament, that over whomsoever, or under what limits soever, the jurisdiction of the King's Supreme Courts there might extend for the hearing and determining complaints, suits, and actions, and for the trial of crimes, the sovereign and controuling power "to

correct errors and misdemeanors extrajudicial, tending to the breach of the peace, or oppression of the subject," by issuing the prerogative writs of the Crown, possessed by their judges, as by the justices of the King's Bench in England, extends over all the territories subject to the presidencies where they sit respectively.

We subjoin a report of the reasons assigned by Mr. Justice Grant, for the issue of the writ in this case, on the 3d August.

*In the matter of Moro Ragonath.*

Mr. Justice Grant said, the writ of *habeas corpus*, in the case of Moro Ragonath, of Poonah, an infant, at the instance of Dinker Gopal Dew, his father-in-law, was moved before me, in chambers, on sundry affidavits, viz. two by the said Dinker Gopal Dew, one by Purrusram Ballal Tahasra Boodi, and one by Suntoo Seity, and supported in a very good argument by Mr. Irwin and Mr. Roper, and opposed in a very good argument by the Advocate General, assisted by Mr. Mill. I was of opinion, 1. That the affidavits now laid before me were sufficient to call on the court, if it had the power, to issue the writ of *habeas corpus ad subjiciendum*, 2. That this writ may be issued by any one of the judges of the Supreme Court, in vacation, sitting with the powers of one of the justices of the Court of King's Bench. 3. That the jurisdiction of the court, as Court of King's Bench for Bombay, under the King's letters patent, extends over all the territories subject to or dependent on the government of Bombay, that its jurisdiction in civil suits, and actions, has no other limit in point of territory, but is limited in respect of person within its territory, not inhabitants of Bombay, to persons distinguished by the appellation of British subjects, and to persons, at the time when the cause of action arises, employed by or in the service of the East India Company, or any of the King's subjects; and that in respect of persons, inhabitants of Bombay, it has no limits, but there is a declaration in the case of Mahomedans and Gentoos, that all questions of inheritance, and succession, and contract, and dealing, shall be determined by their own laws and usages. That its supreme powers, and the jurisdiction properly belonging to it as having "such jurisdiction and authority as our justices of our court of King's Bench have and may lawfully exercise within that part of Great Britain called England," other than a jurisdiction in civil suits and actions, have no limit within those territories by the letters patent, but that it cannot try crimes and offences, which by law can only be tried by jury, except as court ofoyer and terminer, and gaol delivery, for the town and island of Bombay, and the factories subordinate

subordinate thereto, whatever places those factories may be *ex necessitate*, for want of power to command the attendance of a jury elsewhere. But that all such sub-jurisdiction, and power, as it can exercise without the verdict of a jury, it is bound to exercise when called on in any part of those territories. 4. That this is a question of issuing a high prerogative and mandatory writ of the Crown, not concerning the trial of any crime or misdemeanour, or suit, or action, and is, therefore, not a question of jurisdiction properly so called, but of the power of the King in right of his Crown, exercised through his Supreme Judges in this part of his dominions, invested, by his commission, with his royal and plenary authority to this effect, by which writ the King commands an account to be rendered them of the detention and imprisonment of any of his subjects, in order that the King, through his judges, may examine whether such imprisonment be lawful and necessary, and that such writ may lawfully issue on cause shown into territories, and be addressed to persons, and concern matters, over which the court issuing such writ has no jurisdiction properly so called, so it be that the territories are subject to the Crown of England, and within the territory of the court. That the issuing of such writ it is matter of right in all the King's subjects to demand of necessary duty in the King's judges to grant, exercising a judicial discretion only to judge whether a probable cause for so doing is laid before them, verified by affidavit, and that there is no doubt in the case on this point. 4. That being by our commission justices of the peace within all the territories subject to the government of Bombay, we have express jurisdiction in this matter, which is a breach of the peace, and where as justices of the peace we have power and may be called on to bail, which jurisdiction alone would be sufficient to extend our power of issuing writs of *habeas corpus* to cases of unlawful imprisonment, considered as breaches of the peace, by whomsoever committed within these territories. That it appears upon the affidavits, that John Andrew Dunlop, Esq. the judge of Poonah, a British subject, was the person who sent the said Moro Ragonath to the house of Pandoorang Ramchunder, in order to the said Pandoorung Ramchunder confining him there, on the last occasion, and that his present confinement there, which is the confinement complained of, is by Pandooram Ramchunder acting under the orders, or at least with the aid and assistance, and countenanced by the authority, of Dunlop, and I incline to think that the said Pandoorang Ramchunder, on this occasion, and for this purpose is to

be considered "a person in the service of or employed by" the said John Andrew Dunlop, "a British subject," within the express words and meaning of the acts of parliament, and letters patent of the King. In this I may differ from my learned brother, but in the present case it is not necessary to determine this point, though I desire not to be understood to say that I do not think it might be shown to be sufficient to support the issuing of this writ. For all which reasons I conclude in the words of the Lord Chief Justice De Grey, adopted by the Lord C. Eldon; "as I understand the law, we cannot, *salvo juramento nostro*, refuse the writ."

## MISCELLANEOUS.

### THE GOVERNOR.

His Exc. the Governor of Bombay entered camp at Kalladghee, Dec. 13, in his progress through the territories recently ceded to his jurisdiction from the Madras presidency. Rumours of his approach from Beejapoor had long preceded him; amid the picturesque ruins of which place he held a durbar of the native jagheerdars and others of the neighbouring districts. The morning of his arrival here was ushered in by a continual influx of the multitudinous attendants on a great man travelling in the east. The escort, consisting of a squadron of the Madras 7th Cavalry, and a body of Spiller's horse, came in early. Elephants, camels, and beasts of burthen, swarmed in every moment of the day. The magnificent tents of the governor, and those of his suite and retinue, formed a very considerable encampment. Both European and native curiosity was on tiptoe, when, shortly before six in the evening, Sir John Malcolm rode in surrounded by his suite.

On Monday the Governor honoured a dinner by his presence, to which he had been invited in the name of Lieut. Col. Dickson. C.B., and all the officers of the brigade. Upwards of fifty sat down to table, including Mr. Newnham, chief secretary to the Bombay government, Mr. Nisbet and the other Doab civil authorities with the Governor, together with the whole of the suite. The health of the Governor was drunk with cordiality and enthusiasm. In returning thanks, Sir John Malcolm adverted to his early career in the Madras army, and spoke in glowing terms of the pride and satisfaction he felt in belonging to such a service, while his evident emotion indicated the sincerity of his declarations.

In the evening the Governor gave a sumptuous dinner, laid out in his splendid and extensive tents, which appeared more like the interior of a vast palace than the temporary accommodation of



canvas alone. Sir J. Malcolm sustained the character of an affable, liberal, and entertaining host, and the evening past in conviviality and the utmost good humour. On Wednesday an evening party was given by his Excellency, at which all our fair countrywomen at Kalladghee were present, a most essential component of society, in which our station is unhappily rather deficient. All our male community were also there. A native nautch served as a divertisement, and a delightful little supper concluded the convivialities which our passing visitant brought in his train. His Excellency departed very early on the following morning on route to Belgaum, *via* Gokauk.—*Bom. Gaz.*, Jan. 1.

By letter from Belgaum, we learn that the Hon the Governor and staff arrived there on the 26th ult. Several rajahs and native chiefs had arrived with their retinue at Belgaum, in order to pay their respects to the Governor, and these with the suite of Sir John Malcolm formed, by the last accounts, a very large camp.—*Bom. Cour.*, Jan. 3.

#### NATIVE JURIES.

In the course of the observations which we felt it our duty to offer last week (see p. 648), on the subject of the attempts which had been made to suborn jurors, in the Parsee assault case, we suffered ourselves to be led into certain erroneous conclusions regarding the fitness of the natives for jury duties in civil cases, which we are the more anxious to correct, since those conclusions appear to have given pain to a number of worthy and highly respectable persons.

It was our purpose to establish, that the tone of moral feeling amongst the lower classes of natives was not high enough to set them above the bias of self-interest, and we endeavoured to illustrate this position by reference to a fact which we held to be conclusive on the subject. It did not, however, occur to us, at the time, that the very parties, whose moral unfitness we were exhibiting, were *not* the persons on whom the privilege of sitting on juries in civil cases would be conferred; and that, therefore, however correct our premises might have been, our conclusions were evidently mistaken. The boon, if granted by the Legislature, would not certainly be extended beyond natives of the higher ranks, and to their integrity and intelligence we can take no exception whatever: their probity and high-toned morality will, we are assured, bear a comparison with those of any nation in the world. Amongst the lower order, it must be conceded, there is much of that moral debasement, which is the inevitable result of the mis-

government and oppression to which they have been subject for ages; and which it will require ages to overcome; but the higher orders have long triumphed over the suggestions of self-interest, where they appeared to clash with the dictates of honesty, and are surely entitled to all the respect which attaches to virtuous and upright characters.

We are extremely desirous to be fully understood upon this subject, as it would distress us exceedingly, to appear to be the advocates of a longer denial to our respectable native fellow subjects of those political rights and liberties which Englishmen justly hold so dear.—*Bom. Cour.* Nov. 8.

If the reader will compare this extract with others indicated in the reference above, he will, even with the foregoing explanation before him, perceive a strange confusion in the sentiments expressed by the editor of the *Courier* upon this interesting subject.—*Ed. A. J.*

#### MAHABULESHWAR HILLS.

The following proclamation, by the Rajah of Sattarah, has been lately circulated throughout his dominions, and it shows the zeal with which the rajah is co-operating with the Bombay government to render Mahabuleshwar a popular place of resort. His highness has already made an excellent road from Sattarah to Mahabuleshwar, and intends this year to carry it on as far as the head of the Par Ghat, which is the boundary of his territories. The government of this presidency will, we learn, complete the remainder to Mhar, at the head of the Lancote river; bungalows are also to be built on the line of road for the occupation of travellers. The delightful coolness of the climate and the convenience of its situation, therefore warrants the belief that Mahabuleshwar will soon become a favourite and fashionable rustication spot during the hot months, while its advantages as a depot for invalid officers and soldiers will, we are sure, amply repay the expense incurred by government in its establishment. The hospitals for the troops are said to be in a state of great forwardness, and one of the ablest and most intelligent surgeons of the establishment has been appointed to the medical duties.

*Proclamation by his Highness the Rajah of Sattarah.*—Be it known to all the subjects of his highness the Rajah of Sattarah (Sreemunt Meha Raj Shri Meha Raj Chitraputte.) Near Joulé there is a mountain on the east of which is the Tac Ghat, on the west, near Prutug Ghat, is the Kindtore Ghat, and the Coortte Ghat is to the south. On the north side and in one corner of this mountain is  
Maha-

Mahabuleshwar, and the source of the holy Krishna. On the summit, near this place, is a spot called N,ber, or the Wilderness, the air of which is remarkably fine during the hot weather, in consequence of which his Exc. Sir John Malcolm and English gentlemen have built houses for themselves and barracks for the soldiers. We likewise intend building on that spot. In order that all necessities may be at hand merchants should settle on the mountains and form a pettah there, which certainly will flourish, as trade will be drawn into this channel in consequence of a road which it is our intention to make over the Phar Ghat. Here then there shall be a pettah, and it shall be called *Malcolm Peth*; and it shall be protected and it shall flourish.

#### THE WEATHER.

The present season is acknowledged by some of the oldest Bombay residents to be one of the most delightful within their recollection. Until within the last three or four days the thermometer, in some parts of the island, has ranged, early in the morning and after seven in the evening, between 58° and 68°, and in the day it has rarely exceeded 75°. Since Tuesday, however, it has been less pleasant; the sky has been slightly over-cast and the morning breezes have become less fresh and invigorating.

The cool weather has proved particularly favourable for parties and little excursions, which have been unusually numerous.—*Bom. Cour. Jan. 3.*

#### THE PRESS AND THE SEPOYS.

The following letter signed "An old Bombay Officer," and dated "Bombay, Nov. 1828," in reference to the reflection in the *Bombay Gazette* on the sepoy (see p. 507), appears in a Calcutta paper. "The late Judge Sir Charles Chambers, an excellent and mild man, under an excitement of feeling that often hurries such characters into greater extremes, both in expressions and acts, than the most violent, stated from the Bench, on the grounds of two or three sepoy's being found guilty of a specific crime, that their conviction proved that the sepoy's at Bombay were guilty of the outrages that had been imputed to them! Upon this extraordinary conclusion, the *Bombay Gazette* made its remarks, and upon these were grounded those of the *Hurkaru*. The Commander-in-chief of this settlement, little pleased to have the gallant army he commands calumniated on such grounds from the bench, ordered a court of enquiry, the result of whose long and patient investigation, proves, I am assured, that there was no good foundation for the general assumption as to the guilt

of the sepoy's; and this court have completely established, that no men of that distinguished corps the 2nd grenadiers (the heroes of Corygaum), whom the editor of the gazette specifically calumniated, were implicated as participators in the outrages to which Sir Charles Chambers alluded. You will naturally ask, if this be the case, what cause has prevented the government of this presidency from exerting its authority, by inflicting the penalty it threatened upon the editor of the gazette, who has in fact repeated his offence; first, by his remarks on the judge's speech, and secondly by his disrespectful comments on republishing those of the *Bengal Hurkaru*. In reply I can only say I am among the number of the disappointed; but report states that the editor has been privately admonished, and that the reasons for this leniency were his having been encouraged to this second offence by assertions (which however groundless) came from a high quarter; but no doubt those feelings and motives which you ascribe to our president may have operated in his favour; though with all due deference to such authority, I must be permitted to doubt whether any gross calumny of the natives, and least of all, our brave and faithful native troops, should be allowed to pass without the severest punishment."

#### ABSENCE OF CIVIL SERVANTS, AND ALLOWANCES FOR TEMPORARY APPOINTMENTS.

A regulation has been passed by the governor in council, dated 9th October 1828, under instructions from the Court of Directors, containing a revision of the existing rules relating to the absence of civil servants from their stations, and a modification of the rates of allowance and travelling charges, which took effect from the 1st November last. The following is the substance of the regulation:

A deduction to be made of one-eighth from the salaries, &c. on absence from stations by illness, if allowances do not exceed 2000 rupees per mensem; and absence not exceeding twelve months; above twelve and not above eighteen months, one-sixth. Where the salary exceeds 2000 rupees per mensem, the deduction to be one-sixth and one-fourth. Fees to be calculated on average of fees drawn by the substitute for the absentee. The foregoing rules not to apply to those whose emoluments do not exceed 500 rupees per mensem. Deductions in no case of absence by sickness to reduce those emoluments below that sum, if absence does not exceed twelve months: but if above twelve and under eighteen, the deduction to be one-eighth for such excess.

Absentees beyond eighteen months not to

to receive, for the period of excess, a higher allowance than civil servants of same rank out of employ, except factors or writers, who are to receive 222 rupees per mensem.

Rules applicable to persons disabled by ill-health, though not quitting their stations.

Applications for leave of absence to be accompanied by a medical certificate, in the form specified. Other forms of certificate necessary when extension of leave is required; or when it is desired to proceed to sea or to Europe.

The emoluments of absentees, through ill-health or private affairs, proceeding to beyond St. Helena or China, or overland to Europe, or not returning to station, to cease from date of leaving presidency. In the event of death within the limits of the charter, heirs entitled to amount of salary due.

Allowances to absentees may be drawn by agents, under regulations.

Absence of one month in the year, with the sanction of the government, not to subject the party to deduction; in case of absence exceeding one month in the year, a deduction to be made of one third for period of excess. A travelling period allowed, according to an annexed table, to absentees, by leave, and to persons nominated to stations when absent therefrom.

Extra allowances are provided, which are to preclude claims to commission by officiating persons, which is considered to belong to the fixed incumbent.

Scale of Extra Allowances to be granted to civil servants out of employment nominated to act in temporary charge of offices.

When acting in Offices of Average Monthly Emoluments.	Officiating Allowances per Mensem.	Add Allowance to a Servant out of employ according to Rank.	Total per Mensem.
Not exc. Rs. 1,500 ....	400	{ Writer 148 1 48 Factor 185 1 65 J. Mer. 222 2 25	548 1 48 585 1 85 622 2 22
More than Rs. 1,500, but not exc. Rs. 2,800 ..	700	{ J. Mer. 222 2 22 S. Mer. 296 2 96	922 2 22 1066 2 96
Exc. Rs. 2,800 .....	1,500	S. Mer. 296 2 96	1,796 2 96

Scale of Extra Allowance to be granted to individuals in charge of offices distinct from those to which they are permanently appointed.

When Acting in Offices of Monthly Emoluments.	If Office be at same Station, per Mensem.	If at different Station, per Mensem.
Not exc. per mens. Rs. 1,500 .....	Rs. 150	Rs. 300
More than Rs. 1,500, but not exc. Rs. 2,800 ..	Rs. 250	Rs. 400
Exc. Rs. 2,800 .....	Rs. 350	Rs. 500

Allowance to persons acting as secre-

taries or foreign agents, or in local or temporary appointments, to be specially considered.

A substitute for an absentee, who shall himself obtain leave of absence, if he be absent more than a month, exclusive of the travelling period, vacates his situation.

An assistant judge acting for a judge, thereby losing his fees, to receive, besides his extra allowance, a monthly salary equal to fees drawn by his substitute. A civil servant officiating for an assistant judge at his own station, to receive the authorized fees, in lieu of extra allowance; if he belong to a different station, an extra allowance of five rupees per diem to be given. In both cases the person acting must have been specially placed in charge by government.

Deputation allowances to be granted to heads of departments, deputies, sub-collectors, assistant judges, first assistants and registrars of circuit or appeal courts, whose services may be required in the interior of their districts, at the rate of ten rupees per diem, and half that rate to assistants below the rank of first assistant: this allowance to be only for four months within the year. The deputation allowance to an assistant judge is a compensation for loss of fees.

Civil servants removing permanently from one station to another, by land, to receive double deputation allowance for a specified number of days; if by sea, their allowances to be regulated by a table annexed.

Allowances of tent purchase money, every three years, viz. to collectors, sub-collectors, and commercial residents, 1,600 rupees; deputy or first assistant, 800; all other assistants, 400 rupees: tents to be handed over to successors in a serviceable state.

Civil surgeons to rank with assistants to collectors, below first assistant: if absent more than eighteen months, their civil allowances cease, and they will receive, for period of excess, military pay, in lieu of assigned allowance. Military officers employed on civil duties similarly situated.

Special cases to be specially considered.

A notification, dated 15th December 1828, establishes it as a rule, that in the absence of an assistant of any grade in the collectorates under this presidency, the assistant next in the department will not be officially appointed to act, but is to perform the duties of the absentee, for which he will receive no extra allowance, provided the absentee is absent for a period of only three months or less; if above three months, then the person performing his duty will be appointed to act, and receive from the date of his acting appointment

appointment any extra allowance to which the absentee regulation may entitle him.

#### REVISED TARIFF.

By a government notification, dated 18th Nov. 1828, it is promulgated that a revision of the tariff list, published on the 29th August 1827, is to take effect from the 1st January 1829. The revised valuations are mostly on a very diminished scale compared with the former. Some articles, omitted in the last list, have valuations affixed to them.

#### NEW TABLE OF EXCHANGE.

The following corrected table of exchange for the settlement of the sea customs and invoiced goods, dated 18th Nov. 1828, is to take effect at Bombay, from and after the 1st January 1829, viz.

Country.	Currency.	Value in Bom. Rup.
Great Britain & colonies.....	Sterling .....	£1 ..... 10 rup.
France and do. ....	French .....	Francs 24 10 do.
Spain and do. ....	Dollar .....	Doll. 100 225 do.
Portugal and do. ....	Milrea .....	Milreas 10 26 do.
Netherlands.....	Florin .....	Florins 8 7 do.
.....	Ducat .....	Ducs. 100 486 do.
Hamburgh .....	Mark .....	Marks 16 10 do.
Denmark and colonies.....	Riksbank dollar .....	Doll. 100 118 do.
Sweden .....	Rix-dollar (specie). .....	Doll. 10 24 do.
Russia .....	Silver ruble. .....	Rubl. 100 169 do.
Italy .....	Sequin .....	Seq. 100 494 do.
United States) North America) .....	Dollar .....	Doll. 100 225 do.
Independent S. South America) .....	Dollar .....	Doll. 100 225 do.
Bengal .....	Sicca rupee .....	Rup. 100 106½ do.
Madras .....	Mad. rupee .....	Rup. 100 100 do.
Turkey (Bussora) .....	Eyne piastre .....	Plast. 133 100 do.
Persia (Bushlire) .....	Persian rup. .....	Rup. 123 100 do.
.....	Huzar dinar .....	Din. 164 100 do.
Muscat .....	Mamoodie .....	Mam. 35 10 do.
Mocha .....	Dollar .....	Doll. 100 217 do.

#### MR. WARDEN.

Mr. Romer, Sir Charles Malcolm, Sir Lionel Smith, and a numerous party of the friends of Mr. Warden, assembled at the chief secretary's house in the fort, on the 26th Dec., for the purpose of presenting a farewell address to that gentleman, on the occasion of his approaching departure to England. Sir Lionel Smith, accompanied by the gentlemen present, delivered the address with a short speech, in the course of which he observed: "if there are few of your original cotemporaries present to partake in the gratification of the tributes now offered you, it will give you pleasure to find their high opinion of you confirmed by those who, with less pretensions in experience, equally appreciate the sterling qualities of your character, the recollection of which, we may hope, will prompt many here to follow in the same good course, shewing an example of thirty-three years of public service honourably recognized by government, and an example in private life cherished by the parting applause of a

large circle of friends." He then read the address as follows:—

To Francis Warden, Esq.

Dear Sir:—On the occasion of your return to England, it is impossible that those who have any knowledge of the high station you have so long held in the society of Bombay, can allow you to depart without conveying to you a proof that they are not insensible to the claims you have established on their friendship and respect.

During thirty-three years which you have passed in this island, the generous hospitality of your roof, while it was enjoyed by all classes of the service and of the community, was extended equally to the strangers who visited us, and especially to the young and inexperienced on their first reaching the shores of India.

Your public-spirited activity to originate or promote every measure brought forward for improving and beautifying the island, our public buildings, the statuary which adorns the fort, and the extension of our roads for salubrious recreation, combine to commemorate.

The records of our public charities attest how much they are indebted to your liberal support; but the many instances in which you have stretched out a helping hand to merit in distress, and have dried up the tears of the widow and the orphan, are enrolled in a higher record.

As a token that these virtues will not soon be forgotten among us, it is our desire, while we offer you the expression of our warmest personal attachment, to request your acceptance of a piece of plate\* with the following inscription.

Presented to

FRANCIS WARDEN, ESQ.

By his friends,

As a mark of the high sense they entertain

Of his private virtues

And of

His generous exertions to promote the interests and happiness of this society during thirty-three years.

Bombay A.D. 1828.

We subscribe ourselves, with great truth and regard, ever yours,

JOHN MALCOLM,  
J. J. SPARROW,  
JOHN ROMER,  
CHARLES MALCOLM,  
LIONEL SMITH,

And above sixty gentlemen of the H.C.'s service and of the community of Bombay.

Mr. Warden returned thanks: in the course of his speech he observed:—"After so long and uninterrupted a residence in this Island, after having witnessed

\* Value £1,000.

nessed the various revolutions which have occurred in its society during that lengthened period, and to which a community like India is so constantly exposed; after having been doomed to mourn and regret, year after year, the loss, in the departure to their native land of a very numerous list, of esteemed and respected contemporaries in all branches of the service, and not insensible to the obstacles that opposed the formation of new ties of intimacy, I thought at one time, gentlemen, I am free to confess, that I should have bidden adieu to Bombay, and quitted the shores of India, with sensations of subdued concern, for it was not unnatural in me to apprehend, that with a few endeared exceptions—endeared to me by long habits of confidential intercourse,—I had outlived and out-resided those friends and acquaintances on whose attachment I may have established some claims to consideration. The distinguished and honorable proof of approbation, however, which I have this day received, supported as it is by so highly respectable an assembly, and more especially the flattering inscription with which you propose so indelibly to commemorate my connection with the establishment of this Presidency, have dissipated these impressions; and forcibly awakened in me those affections, which I had early imbibed for a society in which I have passed the best period of my existence most happily, and, as I have had this day the high gratification of being assured, in some degree usefully, in promoting the interests of this Presidency. That assurance I shall ever cherish with those proud sentiments of gratulation, which the respectable and independent body from which it has emanated is so powerfully calculated to inspire."

On the 3d January, the assistants, clerks, and surveyors of the Secretariat, waited on Mr. Warden, and presented to him an address, in which they begged his acceptance of a pair of silver tankards, with a suitable inscription.

On the 4th Mr. Warden embarked for England on board the *Bolton*.

#### NEW RACE STAND AT MHOW.

We have seen a letter from Mhow, which mentions that the new race stand at that course is nearly finished, and promises to adorn a place of such acknowledged celebrity. The room is forty feet long by sixteen broad, the floor raised five feet on a mound that is about eight or nine feet above the level of the course; the front is formed of eight Doric pillars, which give a pretty effect to the building. The judges' stand has been completely re-built, and the course once more care-

fully measured, making a difference between the measurement of the present and the two last years, of only five feet in a mile and ninety-four yards, the five feet being against the former running. — *Bom. Cour. Nov. 29.*

#### SHIPPING.

##### Arrivals.

Dec. 26. *Tamerlane*, Miller, from Greenock.—28. *Hebe*, Heavilsde, from Singapore, Penang, and Colombo.—31. *Katharina Stewart Forbes*, Chapman, from London and Cape.—Jan. 6. *Thomas*, Davidson, from Liverpool.—8. *Valiant*, Bragg, from London; and *Nithsdale*, Christian, from Liverpool.—9. *Edward Lombe*, Freeman, from London, Cape, and Mauritius.—20. *Simpson*, Warren, from Greenock; and *Lady East*, Evans, from Manila.

##### Departures.

Dec. 22. *Emma*, North, for London.—Jan. 9. *Bolton*, Clarkson, for London.—11. *Recovery*, Chapman, for London.—16. *Upton Castle*, Thacker, for London.—18. *Triumph*, Green, for London.—22. *Scotia*, Simpson, for Greenock.

#### BIRTHS.

Nov. 24. At Bombay, the lady of Capt. Henderson, 2d Europ. Regt., of a son.  
Dec. 13. At Chinch-Pogly, the lady of Lieut. Col. Fearon, of a daughter.  
20. At Bombay, Mrs. Bennett, of a son.  
23. At Bombay, the lady of Lieut. Gloag, 2d Grenadiers, of a daughter.  
24. At Bombay, the wife of Mr. T. Brooks, provisioner, Colabah, of a son.  
21. At Bagoda, the lady of Ens. W. Edwards, 5th N.I., of a daughter.  
29. At Surat, Mrs. Willis, of a son.  
31. At Sattara, the lady of Lieut. Col. Robertson, resident at Sattara, of a son.  
Jan. 3. At Bombay, the lady of Lieut. Elder, 1st Europ. Inf., of a son.  
5. At Poonah, the lady of Capt. Ottey, brigade major at that station, of a daughter.  
6. At Surat, the lady of Jas. Taylor, Esq., pulse judge of circuit, &c., for Guserat, of a son.  
9. At Rutmagaree, the lady of L. R. Reid, Esq., C.S., of a son.  
17. At Bombay, Lady Chambers, of a daughter.

#### MARRIAGES.

Dec. 31. At Bombay, Chas. Scott, Esq., Bombay medical establishment, to Sophia, third daughter of H. Willis, Esq., Rumford, Esq.  
Jan. 7. At Bombay, Lieut. W. B. Goodfellow, of engineers, to Harrietta Jane, youngest daughter of the late C. A. West, Esq., superintending surgeon on this establishment.  
Late. At Poona, Capt. James Keith, assist. adj. gen. P.D.A., to Mary Catherine Elias, second daughter of the late Major Green, of this establishment.

#### DEATHS.

Dec. 28. At Poonah, Major John Snodgrass, 16th N.I., and first assistant commissary general.  
29. At Ahmedabad, Ann Elias, wife of Edw. Grant, Esq., of the civil service, and judge and criminal judge of that city and sillah, in her 32d year.

## Ceylon.

#### BIRTHS.

Dec. 13. At Galle, the lady of Capt. Cannon, H.M.'s 97th Foot, of a son.  
31. At Kandy, the lady of Capt. M. Lindsay, 78th Highlanders, of a daughter.  
Jan. 5. At Colombo, the lady of Capt. Law, of a son.  
17. At Colombo, the wife of Mr. H. Keyt, of a daughter.

## MARRIAGES.

Dec. 13. At Kandy, Mr. S. G. Harmeron, to Eliza Betsy, daughter of Mr. G. Dupuy.  
 25. At Colombo, Charlotte Carpenter, daughter of Lieut. Col. Hook, to Geo. Bird, Esq.  
 Jan. 14. At the Wolfendal Church, the Rev. T. Salmon, missionary of Surat, to Sophia Margaret, second daughter of the Rev. J. D. Palm, minister of the Dutch church at Colombo.  
 17. At Colombo, Mr. W. A. De Silva, to Maria Cornelia, youngest daughter of the late Mr. S. C. Beuckman.

## Singapore.

## PIRACY.

The *Singapore Chronicle* contains an affidavit of the captain of the barque *Clorinda* respecting a pirate brig by which his vessel had been plundered. The *Clorinda* reached Singapore on the 24th October from London, Rio, and Batavia, she sailed from London the 7th of March. The mate of the *Clorinda*, who was forced to point out where the different things were stowed, whilst the captain was in confinement, was told by one of the crew of the armed vessel, who seemed to be a Portuguese, that he had been taken in a Portuguese ship, that all the hands, except himself had been murdered, and that he had only saved his life by entering on board the brig. He added that they had not murdered any English prisoners. The *Cumberland*, a bucket with the name of which vessel was seen on board the pirate, is supposed to have been a ship that had left Sydney for England, and had not since been heard of.

## Spanish India.

## MANILLA.

In the *Registro Mercantil* for October, we notice the arrival at Manilla of the British ship *Madalena*; and among other articles imported by her, we observe 612 cases containing 10,000 muskets, for the Manilla Government; besides the following on account of private individuals:—Machines for the fabrication of gunpowder, and the working of the iron mines; also for the manufacture of cotton yarn and other goods; copper boilers for sugar refining, &c. all of British manufacture. The same journal contains a letter addressed by the Governor to the Director of the Economical Society, acquainting him that the introduction of gin and cognac brandy is prohibited for the present, until some regulations respecting that branch of trade, now under discussion, are finally arranged.—*Canton Reg.* Dec. 13.

## Persia.

## MASSACRE OF THE RUSSIAN LEGATION.

The following letter, which appears in

the *Hereford Journal* of 29d May contains a fuller account than any yet published of the catastrophe which befel the Russian embassy at the court of Teheran, with the causes which led to it. It is said to have been written by a Persian nobleman, and addressed to a gentleman of rank in this country:—

"*Tabreez*, Feb. 20, 1829.—Mr. Grybydoff, the Russian ambassador, with his suite and guard of Cossacks, in all I believe 35 people, left this place for the court of Tehran, about two months ago, on a mission from the emperor of congratulation to the king on the late treaty of peace between this country and Russia. This treaty, which you have no doubt seen, grants a power to the subjects of the respective kingdoms to go to and fro unmolested; but the ambassador on his way thought fit to collect all the Armenians he could find, even such as were slaves in the time of Aga Mahmoud Khan. At Casbine he interfered in those matters so much as to give great offence amongst the people, by punishing very severely a Mahomedan who was the neighbour merely of a person that had bought an Armenian slave, of which he was accused of being the accessory, although he was perfectly guiltless: this excited the indignation of the people so much, that he was seriously advised to depart, or they would not answer for his personal safety. Arrived at Tehran, every attention was paid him; a guard of honour being appointed him, and greater respect shown, I understand, than even to the splendid mission of General Yermouloff. But he chose to raise every possible grievance respecting those claims of the Armenian and Georgian subjects. The king's eunuch, Aga Yiacoub, formerly an Armenian, but now a Mahomedan more than twenty years, having plundered the king to the amount of 40,000 or 50,000 tomanas, fled to the Russian ambassador's for refuge, and he protected him against the claims of the king, and in contempt of his authority. He also granted refuge to two Armenians who had murdered a Mahomedan; but even this the government overlooked, and compromised the affair with the relatives of the deceased. Many other instances I could name of his interfering in the affairs of the Georgians and Armenians, even in contempt of the Persian government; amongst others, he required two Armenian women being given up to him belonging to Allaya Khan, who were formerly Turkish slaves, brought from Van during the last war between this country and Turkey; these women did not seek his protection, but on the contrary wished to remain at Tehran, but he chose to consider them as Armenian subjects, and that they should return to their country. The king remonstrated, and even condescended to

to send the women to the ambassador's residence, under the charge of one of his eunuchs, in order that they might be questioned by him as to the fact alluded to; but he refused to question them in the presence of the eunuch, whom he very ill treated, and sent away, detaining the women by force, and contrary to the king's orders. From what I can learn by the accounts already received, these women were treated very barbarously by the Russians. In the morning they made their escape, and ran through the streets crying aloud for vengeance. This excited the indignation of the populace, who advanced with menacing threats to the residence of the ambassador. His house was then protected by about 100 of the king's guards, and from twenty to thirty Cossacks. These were ordered to fire upon the populace, and they killed six men. This exasperated the mob to the greatest height. The bodies of these men were then exposed in six different mosques, and the moolahs excited the people to fury, calling upon them for revenge on the murderers. The populace was then increased to about 30,000, inflamed by strong religious feeling from the sacrifice of six Musselmans by the Muscovite infidels; nothing could stem their rage, and they went forward resolved upon their utter destruction. The king in the mean time hearing of the tumult, ordered out 2,000 of the troops to the rescue of the Russians, and sent his son, Alli Shah, to their personal assistance. The prince, at the risk of his life, succeeded in saving one of the ambassador's secretaries and two Cossacks: with these exceptions the whole of the Russians were massacred, the exact number of whom I cannot ascertain, but they are estimated to be thirty at least. Such was the violence of the mob, that to save young Maltzoff they were obliged to carry him in a box through the street for protection to the palace. Mr. Grybydoff, it is said, was killed by a blow from a stone in the temple; the people seeing him fall, then rushed into the house and murdered every Russian they could meet with. This horrible event has caused great consternation in the two governments, both here and at Tehran. The king has sent to say that he will offer every indemnity to Russia which she may require for so horrible an outrage, over which he had no controul, and did his utmost to prevent. His Majesty overlooked many provocations of the ambassador, that nothing might occur to disturb the peace with Russia; and so tamely did he submit to them, that it excited great indignation amongst the people, and it is a general opinion that had the king gone into the midst of them during this insurrection, they would have sacrificed him to their fury; as it was, he was obliged to keep the door of his ark \* shut. That

\* The fortified part of the palace.

the Russians brought upon themselves this horrid catastrophe, there can be no doubt—not that this is offered as an excuse for one of the most barbarous and outrageous deeds which has ever disgraced the annals of this or any other country. Messengers are immediately going off to the court of St. Petersburg, and it will soon be seen what steps they take to revenge this outrage on the dignity of the sovereign and the murder of his people; but I hope this deplorable event will not involve this country in any costly consequences, though the result of it can be by no means anticipated. His Royal Highness is plunged in the deepest grief on the occasion, and has ordered a general mourning amongst his people, and I never saw him so deeply afflicted. I had the honour of an audience with him yesterday, and mentioned my intention of writing to you, which he particularly wished me to do. You had heard, perhaps, of his royal highness's intention to visit St. Petersburg this spring, which I need not say is for a time postponed."

## China.

### IRRUPTION INTO THE CITY.

A Calcutta paper contains some particulars of another irruption beyond the city gates by some of the Company's servants, in consequence of inattention to complaints on the part of the Hong. The *Canton Register* of Nov. 3 alluded to the fray, but in a very slight manner.

In the present instance, the grievances complained of were three. 1st. A placard had been exposed on the city walls, reflecting in terms of the grossest abuse on the Europeans. 2d. A letter on its way from one of the Company's ships at Whampoa to Canton, had been intercepted, opened, and withheld. 3d. A wharf or ghaut, which the Company's servants were constructing in front of their factory with the permission of the authorities, was suddenly stopped in its progress. A representation was accordingly framed, but the questions involved in it appeared so delicate, and so directly to touch persons high in authority, that Howqua, the principal of the security merchants, and a timid man, declined being the channel of its presentment. It was however deemed right to persevere, and as there appeared no other medium, the petitioners determined, notwithstanding the prohibition, to violate the sanctity of the city, and present the petition themselves. A requisition was accordingly made by the chief of the factory to Capt. Hamilton, the senior officer of the fleet, to supply a party of sailors from the Company's ships to act as a body guard to the deputation.

deputation. With this escort, Mr. Davis and Capt. Hamilton, with several officers of the fleet, in all amounting to about eighty persons, marched into the city. They met with some opposition from the guards at the gate, but soon forced their way, and experienced no further hindrance. An obstacle now occurred, which, unfortunately, they had neglected to provide for. No one of the party had ever before been within the gates, and consequently none could shew the way to the Viceroy's palace. Their situation now became exceedingly embarrassing; to advance was useless, and to retreat, undignified and likely to expose them to insult and injury. The people, indeed, as yet shewed no disposition to treat them with violence, but they accumulated in fearful numbers, and there was reason to apprehend that some of the tars, many of whom were under the exhilarating influence of grog, might become unruly, and by their frolics, occasion a serious fray. In this dilemma, by good luck, some of them espied an important-looking personage, who by his dress and demeanor was concluded to be "a mandarin of high rank." Into his hands they thrust the petition, and received an assurance that it should be forwarded to the Viceroy. They then made an unmolested retreat, to the great disappointment of the sailors, who had joined the expedition in the full anticipation of a *glorious row*, and plenty of broken heads. Few expected that much good would have resulted from this proceeding: it has, however, proved sufficiently effective. The obnoxious placard was speedily removed, and an explanation was afforded, through the security merchants, that its exhibition was a mere form, and not intended to annoy the Europeans. It was also intimated, through the same channel, that the interference of the mandarins in the matters of the letter and the ghaut, was quite unauthorised, and should be repressed: at the same time, a proclamation was put forth expressive of the great ire of the Viceroy at the contumacious proceedings of the *barbarians*, in daring to violate the sanctity of the city, notwithstanding repeated warnings; and menacing the extreme vengeance in the event of a future infraction of Chinese laws.

#### MISCELLANEOUS.

The Governor of Little Bucharra, resident here, Na-yen-ching, formerly Governor at Canton, during Admiral Drury's expedition, has recommended to his Majesty a reduction of the taxes and fees imposed by all the courts in this region. It is now discovered that previously to the late rebellion, the chiefs and government officers continually distressed the Mahomedans by exactions really intended for

their own use, but under the pretext of public service. The Emperor has applauded the suggestion of the Governor, and confirmed it, ordering that the decision be engraven on the rock for ever, that all the Mahomedan inhabitants may know it. And he has sanctioned a series of appeals from court to court, up to the resident; and in case of redress being denied, he allows the aggrieved person to appeal once a year to the courts in Peking. But they must take care that their complaints are just, for if not, he who appeals will himself be punished as a false accuser; and for having presumptuously passed by the inferior courts. — *Canton Reg. Dec. 13.*

*North-west Frontier.* — Arrangements are in progress on the N. W. frontier to prevent the too frequent intercourse of the Tartar tribes outside and inside the boundary. The late rebellion, it is said, was assisted by the facilities afforded by an illicit trade, across the frontier, in the neighbourhood of Ele. On the western frontier, near the *Tsinghae* lake, his Majesty has granted refuge to some shepherd tribes, who were persecuted and expelled by more powerful hordes. It is however stipulated that they must retire after the winter is over. — *Canton Reg.*

*Edict against bowing.* — A country magistrate in Canton province has issued a proclamation commanding and exhorting his fellow officers not to demean themselves by excessive obsequiousness in "bending the back," and cringing to their superiors. — *Id.*

*Man-choo Tartary.* — On the 1st of August, at the city of Kin chow, situated on the Peninsula that runs out in the Gulph of Leaotung, between Corea and Tartary, three foreigners were seized by the local authorities and at Kea-ping, on the sea coast inside the gulph, one foreigner was taken. They are described as people from remote parts, not having the hair of the head platted as a tail; with their beards cut short, and speaking an unintelligible language. On one was found three cards or papers, with letters on them, unknown to the Court that examined them; also certain vestments, and a pointed knife; their caps were peculiar. They had deep sunk eyes, and they could not write. During the examination, nothing could be made out that they said, but the seven syllables, *Kih shih ko urh poo la ha*. At this place the *Gazette* says, during the 21st year of the late reign (A. D. 1817), two foreigners were taken, and by order of the Emperor Kea-king were sent to Peking, to be tried there by the criminal board. The same course is adopted now. His Imperial Majesty expresses great satisfaction that the local officers secured these four men. They are said to be like *Mahomedans*.

The *Canton Register* contains an account



count of the massacre of the captain and thirteen of the crew of the French ship *Navigateur*, on board of a Chinese junk, in which they had taken their passage from Cochin China. When off the island of Hainan, the people of the junk rose on the passengers, and succeeded in murdering the whole of them, with the exception of one sailor, who leaped overboard in the affray, and being an expert swimmer got to a fishing boat, by which he was landed in the neighbourhood of Macao. An investigation for the discovery of the murderers had been entered into by the Portuguese government. Some passengers who had landed from the junk had been apprehended and examined, and the name of the captain and owner have thus been ascertained; but nothing further had been done in the way of bringing the guilty persons to justice.

*Commercial.*—A very sudden rise has taken place in cotton yarn, in consequence of its being sought after by the merchants now here from the interior. Hitherto the consumption has been chiefly confined to the province of Canton, but should the trial now to be given it amongst the northern manufacturers prove successful, this branch of trade may become very interesting, and greatly interfere with the importations of cotton from India.

No increase whatever can be expected in the value of white piece goods, and woollens, as the imports have been so considerable during the season; and the place seems glutted with many of the minor objects of trade, chiefly the importations from Europe.—*Canton Reg. Dec. 3.*

Cotton yarn seems stationary at the late advanced prices, for those qualities adapted to the use of the Chinese manufacturers. The very low and very high numbers ought to be excluded, and the assortment confined to those ranging from 12 to 40, the greater proportion to consist of nos. 20 to 32, as being the most useful.—*Ibid., Dec. 13.*

## Japan.

In the night between the 17th and 18th September, there occurred, in the bay of Nangasaki, a dreadful hurricane, more severe than had ever been known in the recollection of the Japanese. The greater part of the town of Nangasaki, and the island of Desima, were destroyed by the storm, according to an account received at Canton, *vid Nankin*. In the bay of Nangasaki alone, upwards of 700 people lost their lives. The Netherlands ship, *Cornelius Hutman*, De Tong, was thrown on shore, with loss of mizen-mast and other considerable injuries. The Dutch factory were safe, as well as the crew of the vessel.

## Madagascar.

We have been informed, from authority on which we can rely, that the unhappy country of Madagascar continues to be in a very distracted state,—that most kinds of work have been suspended ever since the death of King Radama, as has also all the schools in the country. Great and mutual jealousy exists between the judges and the military: the Queen wishes to be neutral between them, but this cannot probably long continue. Her measures all show that she is cruel and despotic.—*South African Advertiser.*

Matters in the island of Madagascar, by the latest accounts, are far from going on favourably. The Queen professes to maintain the treaty, and draw still closer the relations with us, but honour and religious adherence to the sanctity of a promise died with the late King Radama. Dr. Lyall, who corresponds with some friends in this place, writes, as I hear, in good spirits, but is prepared for any event. Meantime the translation and the printing of the Scriptures go on at Tamarivaro. It is to be feared that the island is on the approach to a state of utter disorganization.—*Extract of private letter.*

## Cape of Good Hope.

The schooner *Elizabeth and Susan*, from Port Natal, which place she left on the 2d of December, brings accounts of the death of Chaka, the powerful Zulo chief, who some time ago excited so great an interest throughout the colony by his reported movements. On the 23d of September he was assassinated by his own brothers. It appears that when Chaka contemplated any murders, he always pretended that he dreamt that the parties who were to be his victims had entered into a plot against him. On this occasion he had told his most confidential domestic (Boper) "that he had dreamt that his father was going to serve another king, and that therefore he must kill both him (Boper) and his father." This circumstance, probably, accelerated his own death; for the same evening, just as the sun was sinking in the horizon, Chaka's younger brother, Dingaan, said to him, "You shall never see the sun set again," and at the same time thrust his assegai into the back of Chaka; the act was followed up by Umalangan, another brother, and the servant Boper, until they despatched him. Sotobie, on hearing of Chaka's murder, took up arms, but finding it was the act of the brothers, laid them down again. The body of Chaka was left that night to be devoured by wolves—but finding it was unmolested, in

in the morning, they gave him burial, saying that wolves would not eat a king. One of the brothers of Chaka, Umguaty, declared himself independent; and, collecting his forces, gave battle to Dingaan, but was defeated and killed, with the loss of about 2,000 men. At the time the schooner left, the Zulos had not elected a King, the forces sent by Chaka to the eastward having only just returned. It was said that they had lost upwards of 30,000 people, and that Dingaan would be chosen: he is well-disposed to the white people.—*South African Advertiser*.

## Bourbon.

A furious hurricane visited this island on the 9th February; the whole of the eastern side of the island being devastated, and almost sixty vessels of different classes, which were lying at St. Paul's, St. Denis and the outports, have all experienced, in a more or less degree, the tremendous effects of the storm; on the 21st about 20-sail were missing. Several houses were unroofed, some of the bridges carried away, and those vessels which were on the stocks. From the accounts received, it would appear that the hurricane has been equal in violence to that with which this island was visited in 1818.—The waves rushed in at St. Denis with so much violence that they drove a vessel of 30 tons out of a dock, and lodged it on the roof of the guard-room of the custom-house. All the other buildings on the coast have, in a greater or less degree, suffered damage; and some of the small vessels which were riding at anchor, have been swamped. On shore the mischief has been much less than might have been expected; some trees blown down, houses unroofed, and maize plantations destroyed, constitutes the whole of the damage; but the nutmeg and coffee plantations have suffered very little. The worst effects of the storm have been felt at St. Leu and at La Montagne, where the plantations have been injured, and some negroes killed by the falling of the buildings. The ships in the roadstead were much damaged, and many of them have put in the port of St. Denis to refit. Two ships have been sent out by government to the assistance of such vessels as could not make the port. Two English ships had been seen totally dismasted.—*Mauritius Journal*.

## Australasia.

### NEW SOUTH WALES.

*Farmer's Club, Paterson's Plains.*—A numerous meeting of gentlemen, making

the fifth meeting since the institution of the 'Farmer's Club,' took place in July last at the residence of Alexander Warren, Esq. at Jarvisstown, for the purpose of distributing rewards for the most deserving specimens of agricultural produce, as well as for the transaction of other business. There were exhibited for competition specimens of cotton, cheese, and tobacco, the growth of the district. There were two samples of cotton produced, but the quantity being inconsiderable, the reward proposed for that article it was considered best for awhile to withhold; the small quantity exhibited however displayed an excellent staple, and was the subject of much surprise and admiration. Numerous trophies of native dog's-tails were produced, and for every tail there was disbursed a certain sum from the funds of the club.

After this, the expediency of establishing a regular fair for stock and other produce was discussed, and the club passed a resolution to establish a fair at Paterson's Plains. A botanic garden was the subject of some discussion, which ended in a resolution to the same effect; George Townshend, Esq. handsomely volunteering a piece of ground for the purpose, and, moreover, undertaking its superintendence.

Thanks of the meeting were then voted to the president and vice-president; and shortly after, the club sat down to an excellent dinner.

### VAN DIEMAN'S LAND.

From Hobart-Town papers to the 23d of November, it appears that the colony was still in a state of agitation in consequence of the late daring attempts of the natives to disturb its tranquillity. A party of these savages had been recently apprehended near the eastern marches. Among the captives was the king of their tribe, named Eumarrah, whose indignation at being deprived of his liberty seems to have been very great. He declared it was his determined purpose, as well as that of the Oyster Bay, the Blue-hill, and the Big River tribes, to make repeated incursions, in order to destroy as many whites as they possibly could, which they looked upon as a patriotic duty. The capture of this party was considered a very important one, and was effected without any bloodshed. A proclamation was issued on the 1st of November by the Lieutenant-Governor, Col. Arthur, declaring that martial law shall be in force against the several black or aboriginal natives within the island, excepting only such portions of it as are specified. It states that it is impossible to conciliate the several tribes of that people, and martial law had become unavoidably necessary for the effectual suppression of their brutal excesses.

## Postscript to Asiatic Intelligence.

THE arrival of a French vessel at Bordeaux, the *Jean Jacques*; which left Saugor on the 3d February, has put us in possession of Calcutta papers to the 29th of January inclusive. We regret to learn that Lord Wm. Bentinck had been unwell at Rungpore, owing to imprudent exposure to the sun during his hunting excursion. At Calcutta, where great anxiety existed to ascertain the state of his Lordship's health, the latest information was, that the report of the physician was unfavourable on the 21st Jan.; but

on the evening of the 22d it was favourable, and he had sat up on that day for six hours. The statement put forth by a London paper, of the death of his Lordship, is unfounded.

The Calcutta paper states that Lady Bentinck had not quitted Barrackpore.

It appears, from the same authority, that Bushire had been plundered by the son of the Prince-royal of Persia, with 1500 marauders, of property to the amount of twenty lacs of rupees.

## INDIA SECURITIES AND EXCHANGES.

Calcutta, Jan. 23, 1829.

### Government Securities.

Buy.] Rs. As.		Rs. As. [Sell.
Prem. 24 8	Remittable .....	24 0 Prem.
Disc. 1 4	Old Five per ct. Loan ...	1 11 Disc.
Disc. 0 4	New ditto ditto .....	0 12 Disc.

### Rates of Exchange.

On London, 6 months' sight,—to buy 1s. 10½d. —to sell 2s. per Sicca Rupee.

On Madras, 30 days' ditto, 92 Sicca Rupees per 100 Madras Rupees.

On Bombay, ditto, 96 Sicca Rupees per 100 Bombay Rupees.

Bank of Bengal Dividend, due 5th Jan. 1829. Fortieth half-year's dividend—Sa. Rs. 14 4 per cent. per annum, or Sa. Rs. 712 8 for each share.

### Price of Bullion.

Spanish Dollars	..Sa. Rs. 206	8 to 206	12 per 100
Dubloons	.....	30 8 to 31	8 each.
Sovereigns	.....	11 4 to 0	0 each.
Bank of England Notes	..	10 14 to 11	0 each.

Madras, Jan. 29, 1829.

### Government Securities.

Six per cent. Bengal Remittable Loan.

At the Rate of Subscription, viz. 350 Madras Rs. per 335 Sa. Rs. .... 31 Prem.

At the Rate prevailing among Merchants and Brokers in buying and selling Public Securities, viz. 106½ Madras Rs. per 100 Sa. Rs. .... 29 Prem.

Five per cent. Bengal Unremittable Loan.

At the Rate of Subscription, viz. 350 Madras Rs. per 335 Sa. Rs. .... 3½ Prem.

At the Rate prevailing among Merchants and Brokers in buying and selling Public Securities, viz. 106½ Madras Rs. per 100 Sa. Rs. .... 1½ Prem.

Bengal New Five per cent. Loan of the 18th Aug. 1825.

At the Rate of Subscription, viz. 106½ Madras Rs. per 100 Sa. Rs. .... 2 Prem.

Bombay, Jan. 17, 1829.

### Exchanges.

On London, at 6 months' sight, 1s. 8½d. per Rupee. On Calcutta, at 30 days' sight, 107 Bom. Rs. per 100 Sicca Rupees.

On Madras, at 30 days' sight, 90 Bom. Rs. per 100 Madras Rs.

### Government Securities.

Remittable Loan, 136 Bom. Rs. per 100 S. Rs. Old 5 per cent.—107 Bom. Rs. per 100 Sa. Rs. New 5 per cent.—109 Bom. Rs. per 100 S. Rs.

Singapore, Jan. 10, 1829.

### Exchange.

Gov. Bills on Bengal, per 100 Sp. Ds. 210½ Sa. Rs. Private Bills on ditto—none. Private Bills on London, per Sp. Dr. 4s. 2d.—none.

Canton, Jan. 3, 1829.

### Exchanges.

On London, at 6 months' sight, 4s. to 4s. 2d. per dollar. On Bengal, at 30 days' sight—no bills. On Bombay, at ditto—no bills.

Sydney Aug 20, 1828.

### Exchange.

Bills on London—His Majesty's Treasury—1½ per cent. prem. Private ditto—at par. Bills on Calcutta, 2s. per Sicca Rupee.

### Value of Coins.

Spanish Dollars, 4s. 4d. each—nominal. Calcutta Rupees—1s. 11d. to 2s. each. All British Coins at their Sterling Value.

## HOME INTELLIGENCE.

### IMPERIAL PARLIAMENT.

House of Lords, May 12.

*Trade with India.* The Marquess of Lansdowne, in presenting a petition from Manchester, praying that the trade to the Indies and China might be free, at the expiration of the Company's charter, observed that their lordships could not begin too early to familiarize themselves with this momentous question. He had not formed himself any judgment on the sub-

ject, and did not mean to do so, being withheld from doing it by the great, not to say insuperable difficulties connected with it. After saying that, he did not mean to call on the noble Duke, or any of the noble Lords opposite, to make any declaration of what opinion they entertained, and he would not only not call on them, but he hoped that they would not form, and certainly would not declare any rash opinion. Not only he thought he was not justified in calling on them for an opinion,

opinion, but, he confessed, whatever might be the bias of his mind, the sense he entertained of the difficulties of the question were so great, that it was quite sufficient to prevent him from forming and declaring any opinion, till he had an opportunity of examining all that testimony and that documentary evidence which had been collected within the last few years, and which must be closely examined before their Lordships could form a satisfactory judgment on the subject. Their Lordships would have to decide a question which for many years to come would influence our commercial interests—a question which might have important constitutional effects—they would have to determine what was, perhaps, the first consideration, concerning the welfare of between sixty and eighty millions of human beings, whose fate, by the merciful dispensation of Providence, was connected with our future advances, and would in a great measure depend on the wise provisions their Lordships might be enabled to make. All he would then seek to obtain was an assurance from the noble Lords opposite, that ample time would be allowed their Lordships to form an opinion, before the question came before Parliament, on all the preliminary questions. As the petition embraced the whole commercial men of that neighbourhood; and, he believed he might say, that the petitioners expressed the opinion that was common to all the commercial towns of the Empire. Nobody was better aware than he was of the exaggerated hopes such people entertained when any new employment for capital was opened to them, particularly now, when they were labouring under difficulties and distress; and knowing this, he knew that they might be deceived; but all that he asserted was, what their Lordships would admit, that the subject deserved the ample attention of their Lordships.

Lord *Ellenborough* could assure the noble Marquess, that his Majesty's Government was fully aware of the extreme importance of the question; and he had taken measures to have the fullest information laid before the house, as his Majesty's government wished that the house should have the fullest opportunity of forming a correct opinion. He was not, however, prepared to state that his Majesty's government had yet formed any precise opinion as to the form in which the inquiry that would hereafter be necessary should be conducted.

#### HOUSE OF COMMONS, May 12.

*Trade with India.*—Mr. *Huskisson* presented a petition from Liverpool, praying for a free trade with India. The right

hon. gentleman observed, that upon the inquiry in 1813, many persons, who had spent the greater portion of their lives in the Company's service, possessing the greater share of knowledge, talent, and experience on the subject, had given it as their opinion that the trade of India could not be increased by being thrown open to the general commerce of the country. The grounds upon which those opinions were given were, that the wants of the natives were so few, their character so simple, and their religious tenets of such a peculiar character, that any attempt to introduce the trade with them would be ~~and~~ unavailing, and would produce loss rather than gain to those who might embark in it. Notwithstanding these opinions, the merchants and manufacturers persevered, and requested to be allowed a portion of the trade at their own cost. The trade was thrown open in part—the experiment was partially made—and what was the consequence? The trade was opened under many impediments, obstacles, and difficulties, and yet it had improved in a surprising manner. The trade was partially opened on the 1st of April 1814, so that the country had had fifteen years' experience of the results. This was a period which, in the case of an individual, would not extend beyond infancy; but, in the case in question, it could be looked upon as little beyond the birth; and yet, let the house consider what was the fact? In 1814, the whole exports of this country eastwards of the Cape of Good Hope, was £1,600,000; whereas last year (owing to the partial opening of the trade) the exports were £5,800,000, so that in the short space of fourteen or fifteen years, the trade with India had so increased as to form near one-eighth of the whole commerce of the country. A paper had been recently laid upon the table, from which the house might collect the amount of tonnage employed in the East-India trade at different periods. In 1813, the amount was 28,000 tons. In 1828, it was 109,000 tons—so that the increasing progress of industry was in that instance fully realised. The petitioners complained, and with reason, that while the Company relaxed in a slight degree with respect to the trade with India, they drew tighter the trade with China. By referring to the Act of 1745, the house would see what the nature of the check on the tea-trade was. It provided that the price of tea should be kept equal with the markets of the other States of Europe, and that in the event of any rise in the price of that article, the Lords of the Treasury should have the power of granting their license to any person or persons to import tea into this kingdom. This was the law up to 1813; since that period it had been altered, and the result was, that the whole monopoly of that article

article was vested in the East-India Company.

Mr. *Baring* hoped that the East-India Company would conciliate the feelings of the country, by freely consenting to open the trade with China, which was now enjoyed, in a great degree, by foreigners. This might be done without the slightest injury to the East-India Company.

Mr. *Astell* observed, that the question of the trade with China could not be separated from the other parts of the question, and he felt that he should be ill-discharging his duty if he lent himself to a committal on one part of a question which was a material point in the consideration of the whole. He should notice one of the facts stated by the right hon. gentleman in order that the House might see that it might be true that the others did not rest on better grounds. The right hon. gentleman had told them that the shipping employed in 1813 in the trade with India amounted to 28,000 tons, and that it now amounted to 109,000 tons; but the amount stated for 1813 referred only to the Company's shipping; the Custom-house being destroyed by fire, it could not be ascertained what the amount of private shipping had been. In 1815, however, the private shipping amounted to 79,000 tons, and in 1824 it was no more. The right hon. gentleman, too, had made a statement respecting the exports, but he had quite forgotten to say any thing about the imports. This was not the proper mode of dealing with an important question, and he did hope that the House would suspend their judgment until regular and authentic documents were brought before them. The time for considering the question was not yet arrived. He wished the House to suspend their judgment until they received that information, which he as much desired as any man that they should obtain.

Sir *C. Burrell* observed, that in consequence of the monopoly of the Company, the price of tea in this country was excessive. It was double the price paid for it on the continent. It was a great hardship on the British ship-owner not to be able to export the manufactures of this country to China, when the ship-owners of other nations might do so, and when the distress among that class of men in England was greater than ever. He knew, from the peculiar spirit of the Chinese, that the management of the trade required some attention, but did not think that circumstance justified the present monopoly.

General *Gascoyne* supported the recommendation of the hon. member for *Calington*—that the Company should consent to some modification of their charter, before the time for its determination should arrive. Such a course would be likely to be as beneficial to the Company as it would be to the country.

Sir *G. Philips* said, that since the trade had been partially thrown open, a great quantity of cotton goods had been exported. They had been told that a free trade would ruin the exporters; but so far was that from being the case, that the profits in that trade had been at first greater than any other trade furnished.

Mr. *Astell* wished to reply to an observation which had been made by the right hon. member for *Liverpool*, on the subject of tea. He would take on himself the onus of denying the justice of that statement. The right hon. gentleman had stated that tea was much cheaper on the continent than in this country; but the House should recollect, that here the government received a duty of £100 per cent. on tea; whilst, on the continent, the article was free from any such tax. In England, tea was almost an article of necessity; but on the continent its consumption was greatly neglected, and it passes, in commercial language, under the name of a drug. He would undertake to prove this to the satisfaction of the House—that tea, looking to its quality, and putting aside the tax imposed by government, was not only not dearer in this country, but essentially cheaper and better than on the continent. The quality of the tea never seemed to be taken into consideration by hon. gentlemen.

Mr. *Huskisson* said, that the hon. gentleman (Mr. *Astell*) supposed that he was too bold in the assertions he had made about the price of tea. If, as the hon. gentleman stated, tea was better and cheaper in this country than abroad, the only thing he would require of the hon. gentleman was to grant a licence, which, by the present laws relating to this matter, the Company only, and not the government, could grant, to some of his (Mr. *Huskisson's*) constituents, to bring tea from the other states of Europe into England; and he would assure the hon. gentleman that many of them would be foolish enough to bring hither a considerable quantity of tea to compete in the British market with that introduced here by the East-India Company, and described by the hon. gentleman to be superior to all the rest in quality and in cheapness. He knew nothing of the facts connected with this trade but what he had been told by persons connected with the trade, and what he had learned from looking at the *Prices Current* in the different markets of the world. When he looked at the *Price Current* for New York, and found that tea was sold in that city for just one-half the price that it fetched in England, he naturally drew the conclusion that it was cheaper there than here. Every one must expect that the tea would be dearer, even without the addition of the duty, by the operation of that most monstrous

strous obligation which the East-India Company had chosen to enter into, not to put up to sale any tea that had not been two years in their warehouses. [The right hon. gentleman was told that this was a mistake]. He was not mistaken in the fact, though he might be in the form in which he had described the obligation. The East-India Company bound themselves to keep up a stock equal to one year's consumption beyond that which was appointed to be sold in the current year. The effect, therefore, was to keep tea in the warehouses two years before it was sold; by which a great deterioration of the article took place, and an additional charge was imposed to make up the loss on the capital that had been so long lying dead. That regulation could safely be dispensed with; for this country would be under no risk of being without tea.

HOUSE OF COMMONS, May 14.

*Trade with India and China.*—Mr. W. W. Whitmore, according to notice, rose to move for a Select Committee to enquire into the state of the trade between Great Britain, the East Indies, and China. After adverting to the importance of the subject, he divided his observations under three heads,—Great Britain, the East Indies, and China. With respect to Great Britain, its trade was, to a certain degree, precarious; and it was absolutely necessary to consider the means of improving the resources of this country, and of alleviating our commercial distress. These means were to be found in our vast capital and our gigantic power of production, if a larger field was opened to them. The hon. member then referred to the nature of our commercial relations with the United States of America, since the new tariff, and observed that, as we depended upon that country for three-fourths of the raw material required for our cotton manufactures, this was a strong motive to consider whether we had not the power of supplying this material within our own territories. He would endeavour to shew that we had the power of producing cotton in the East Indies to any extent, and of the best quality. The hon. member then proceeded to take a view of our trade to the East Indies as it now existed, and of what it might be under different circumstances. Never were predictions so completely disproved as those made when the subject of the Company's charter was last before Parliament; it had been asserted that it was impossible the trade could be increased; that it was absurd to suppose that a population who laboured for 3d. per day, could be customers for our manufactures. These gentlemen, being connected with the Company, judged of the trade as it was conducted by the Company; and concluded that it would

be a losing trade because the Company lost. The falling off in the Company's trade, perhaps, justified these gentlemen's opinion. Mr. Whitmore then gave the following sketch of the official value of the export trade to India and China from the year 1790.

Years.	Average.
From 1790 to 1795 ..	£2,520,821
1796 — 1801 ....	2,342,427
1802 — 1807 ....	2,153,283
1808 — 1812 ....	1,748,340
1813 — 1819 ....	2,118,446
1820 — 1825 ....	4,028,516
1826 — — ....	4,877,133
1827 — — ....	5,891,102

During the first period, there had been a constant falling off; during the last-period, there had been a rapid increase; so that the predictions he had referred to, were founded upon a miscalculation. He would now particularize a few of the articles of export: in the first place, cotton. The cotton manufactures exported to the East Indies in 1814 amounted to 818,203 yds.; in 1828 the amount was 43,500,000 yds.; Their value in 1814 was £90,000; in 1828 it was £1,900,000. Moreover, since the improvements in machinery, the value of cotton goods had fallen materially. The white cottons exported in 1814 were 213,200 yards; in 1828, 23,349,000 yds. The printed cottons in 1814 were 604,800 yards; in 1828, 12,372,379 yards. In 1814, only 8 lbs. of cotton twist were exported; in 1828, the quantity was 4,497,015 lbs. This extension afforded sufficient grounds for his motion. It was the opinion of every intelligent man, that there was no assignable limit to this trade, if the means of employing capital in India could be found. There was no prejudice in the minds of the natives against the purchase of our manufactures, and no bar, but that first mentioned, to the rapid increase in their consumption. He would now state the imports. The hon. member then read the following statement:

Years.	Average.
From 1790 to 1795 ..	£3,073,053
1796 — 1801 ....	3,832,254
1802 — 1807 ....	5,026,074
1808 — 1812 ....	4,727,605
1813 — 1819 ....	7,538,929
1820 — 1825 ....	6,635,201
1826 — — ....	8,343,204

The improvement in the import trade had not been so great as in the export, owing to the poor quality of the products imported from India, except its Indigo, which was now superior to the South American, though formerly vastly inferior to it. What was the cause? For the last forty years, the manufacture has been under the superintendence of British capitalists. There can be little doubt, that if the same permission to British subjects to embark their capital and employ their superintendence were extended to other articles, the same effects would follow. The quantity of indigo imported in 1800 was 3,750,734 lbs.; in 1828 it was

9,683,626. Raw cotton had increased from 3,750,734 lbs. in 1814, to 32,339,282 lbs. in 1828. The best Indian cotton was inferior to the worst imported from America, in some instances 100 per cent. No attention was paid to its cultivation; otherwise cotton of the best quality could be procured from India. The quantity of cotton consumed in England was 197,000,000 lbs. of which 151,000,000 lbs. was imported from America. The amount of sugar imported in 1814 was 49,849 cwt.; in 1828, it was 516,831 cwt., of which 360,570 cwt. was from the Mauritius, because in that small island the cultivation was under European superintendence. During the last three years, 200 sugar mills had been sent to the Mauritius, not one to the East Indies. Another important commodity was raw silk, which, at this moment, when so much distress prevails among its manufacturers in this country, demands the most earnest consideration. In 1814, the importation was 1,116,113 lbs.; and in 1828, 1,447,549 lbs.; and it is considered so inferior, that while Italian silk was sold for 28s., India silk only produced 18s. It could only be employed on the coarser articles; and it was stated that in broad goods with India silk the manufacturers in this country might compete with foreigners. If we were to allow settlement in India, and the application of British capital and skill, silk to an incalculable amount, and of the best quality, might be procured from thence. Mr. Whitmore then proceeded. "I now come to the question of the policy of allowing Englishmen to settle in India, and upon it I conceive the whole result much depends. It is my belief, that if we prevent that settlement, and thereby prevent the employment of British capital and skill, we cannot carry the trade further than at present; but if we adopt the more generous, as well as the wiser, course of permitting Englishmen to proceed thither without restraint, we may carry our commerce to the East to any extent. Let us remember that a population of 134 millions is extended over an area of 1,280,000 square miles; and although they are not all under our immediate controul and dominion, they are all either within the territories, or are the subjects of the tributaries of the East India Company. The House aware that the present policy is to prevent settlement in India; and excepting in the Presidencies of Bombay, Bengal, and Calcutta, they are prevented from holding and possessing land. This certainly is a very singular and objectionable policy, never pursued by any country in the world but ourselves; and it has contributed more than any other cause to maintain that want of civilization and knowledge apparent in India. It has been said that the reason for discouraging

settlement was, that the happiness and welfare of the people might be the better secured—as futile an argument as ever was advanced. The very reverse is the effect; and the best mode of ameliorating the condition of the natives of India is to remove this impolitic and absurd restriction. Introduce among them British settlers, and you improve their habits and their understandings; you raise them from a state of half civilization to a condition of complete civilization. When we look to the origin of this exclusive system, we are led at once to the monopoly of the East India Company; more effectually to secure that monopoly, settlement was discouraged. When the regulation was adopted, nobody ever dreamt of improving the situation of the poor Indian; but the Company most anxiously reflected on the best mode of preserving their monopoly—that monopoly by which they were placed in the double capacity of merchants and sovereigns, deriving profit both from their trade and their dominion. The very name applied to individuals who got to India without permission of the company, shows in what light they were considered; they were called interlopers. One great evil existing in India is the mal-administration of justice; not so much on account of the unfitness of the judges, or from corruption, as from ignorance of the people. The opinion of Sir H. Strachey—a most intelligent Indian Judge—is strong upon this point, and is referred to with much commendation in the Report of the Committee of 1810. He said that the genius of the Indian people had not been studied by those appointed to administer the law; that they knew little of their domestic life, of the state of their knowledge, the nature of their conversation, religion, trades, castes, or any national and individual characteristics. Every day something new and surprising was making its appearance among the natives. The evils (he added) were extensive, and might be ascribed chiefly to the want of connection and intercourse with the Indian people, whose habits and manners were peculiar, and whose excessive ignorance of the character of the Europeans was only equalled by the ignorance of the Europeans of the Indian character. This opinion of Sir H. Strachey shews at once the existing difficulties, and that they are only to be removed by changing the system upon which we have hitherto acted. I am quite persuaded that we are in a state of ignorance as to the feelings and manners of the people of that country. I am aware that it has been stated, that settlement would weaken the ties by which India is bound to this country. But really I never heard an argment so weak and unfounded. Under a different system, by which Englishmen would be permitted

permitted to settle in India, that country would be held by a much stronger bond than it is at present. I consider it my duty to adjure you, if your object be to strengthen the connection with India—if your object be to make permanent that which is now precarious, the only way to effect it is, at once to abolish the unjust and absurd system of restrictions, by which the settlement of Englishmen is prevented in India. When I am told that this would do injury to the people of India, I deny it wholly; and I have my justification at hand. We all know, that after the emancipation of South America there was a large application of British capital to its wants and necessities. If we had allowed the settlement of Englishmen in India, when the Company's Charter was renewed in 1813, the probability is, that the capital would have been spent in India instead of being wasted in South America. That permission alone would have done more for the benefit of the country than any act ever performed by the Company from its establishment to this day. If the monopoly of the trade and the absolute dominion over the people were beneficial to India, I should say preserve them. I should think it would then be consistent and politic to prolong the power of the Company. But we are not called upon to consider whether it is right or wrong to continue that power. That was decided in 1813, when the principle of monopoly was no longer suffered to exist for carrying on the trade of India; and we are bound to follow it up, by throwing open the whole system of commerce in India. I trust, that when we come to the investigation of this subject again, we shall look minutely into the trade between this country and India, for in the opening of it consists the sole source from whence any improvement of the people there can proceed, and on which any reasonable ground can be entertained of the increase of the trade and manufactures of this country." The Hon. Gentleman then adverted to the China trade. This was a complete monopoly of the Company. At an early period of our intercourse with China this was not the case; four ports were open to our traders in China and all the empire of Japan, from which they were excluded by the interference of the Company. There is not the shadow of an excuse for continuing this monopoly. The exports to China were fast declining. This would be seen from the amount of the exports of the Company at different periods. In the years between the year 1801 and 1810 the average amount of exports to Canton was 1,152,206l.; from 1811 to 1822 (deducting 1819), it was 760,959l.; from 1823 to 1827, it was 682,177l.; in 1827, the exports amounted to 493,815l.; in 1828, they were 863,494l.; and the average of

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1827 and 1828, was 678,654l. There was certainly an increase in 1829, but, compared with the average of the first years, there was a falling-off of about 90 per cent: and, making allowance for the effects of the carrying trade, 40 or 50 per cent. It is alleged by the friends of the Company, that there is a great difficulty in dealing with the Chinese. This is a common-place argument, and entirely unfounded: for it is expressly stated by Mr. Milburn, that "the trade is carried on in China easier than it is here." The Chinese are addicted to commerce; they have fully occupied their soil, which is in the highest state of cultivation. The population of China is estimated at 150,000,000; it has a salubrious climate, and would be a valuable customer, if the trade were conducted on principles of freedom. There might be some difficulty in carrying on the trade with the Hong merchants; but if there were ten times more difficulty in carrying on this trade than is pretended, it would not weigh a feather in the scale; for if we cannot conduct the trade directly with China, it must be carried on through the medium of an emporium. We have an excellent port for that purpose in Singapore, once a most flourishing settlement, but now blighted. As to the tea trade between China and England, it is excellently placed. Tea is not grown in the neighbourhood of Canton, from whence it is exported; but in two maritime provinces, both at a considerable distance from that port. The black tea is carried on the backs of boys a distance of 360 miles to Canton, and the green tea is brought a still greater distance of 700 or 800 miles. The tea-growing provinces being maritime, it is obvious that such a mode of communication between the places where the tea is grown and where it is exported, must be attended with much expense; it is quite obvious, also, that it could be brought as cheaply to Singapore as to Canton. The Hon. Member then read an account of the progress of Singapore, and the present amount of its trade. The Chinese had opened a trade with this settlement, and if a difficulty were thrown in the way of our trade at Canton, we could carry it on through Singapore. In the article of tea there would be an increase to nearly double the present import, if the trade were thrown open. He was astonished at the confidence with which the statement was made by the deputy-chairman of the East India Company, that tea was as cheap in this country as on the Continent. The importation of tea in 1814 was 26,076,550lb. In 1828 it was 30,926,925lb. The quantity put up for sale at the India-house in 1828 was 31,300,000lb, which was sold for £4,254,874. Now, if a similar quantity was sold at Hamburgh it would have produced

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duced no more than £1,446,121., making a difference of £2,808,753., as against the consumers of this country. He was aware that this was exclusive of the duty, and he also knew that it was contended that the quality of the company's teas was superior; but of this he doubted, for he believed that as good tea might be purchased on the Continent, or in America, as in England. But admitting that it was superior, and allowing for the assumed difference of quality, it could not be denied that we paid in this country £2,000,000. a year on this article alone for the supporting a monopoly in a trade which was diminishing year after year. Mr. Whitmore then proceeded: "I may be permitted to allude to what was said by the member for Liverpool, on presenting the petition from the merchants of that great town relative to a power exercised in regard to the country, of which I believe the house heard with surprise, I mean the exclusive power now possessed by the East India Company of granting licences to import tea from other places than China. By the last Act for renewing their charter in 1813, that power was given to the Company which they did not possess before. Since the reign of George II., it was the policy of this country to have a complete check and controul over the power of the Company. It is true the trade with China was given to them, but if they did not supply such a quantity of tea as was necessary for the consumption of the people, and at the usual price, there was a power reserved to government of granting licenses to any individuals to import tea from the Continent. Unfortunately, by some means, this most provident and useful provision was omitted in the Act of 1813, and the country is now subject to the grievous affliction of having an enormous tax levied on it for the profit of the East India Company, to the amount of two millions a year." The hon. member concluded with a strong appeal to the house to support him in his motion for a select committee of inquiry.

The *Chancellor of the Exchequer* declined following the hon. member through his elaborate speech; the subject altogether was the greatest political question which Parliament had to deal with, but if they began their inquiry immediately, it would be impossible to collect evidence sufficient to lead to a satisfactory result before the end of the session. All the subjects touched upon by the hon. member and then connected with the question, which he had omitted, required investigation; but as a necessary preliminary, the house should have before it a series of documentary evidence, previous to the inquiry, in order that they be more thoroughly masters of the question which they will be about to investigate. For this reason it was the intention of the right hon. Secretary (Mr.

Peel), who, from indisposition, was unfortunately prevented from being in his place this evening, and it still is his intention, in the course of the present session, to move for the production of that documentary evidence which appears to government to be indispensably necessary. Under these circumstances, government proposes, at the commencement of the next session of parliament, to enter into the consideration of this subject. The inquiry will then embrace all the topics to which the hon. gentleman had adverted; and the house will at that time be in a situation to prosecute the investigation, with not only a greater effect, but with a less chance of falling into a particular or limited view of the subject. So far from deprecating inquiry, government wished for it; but there was no occasion for the haste which the hon. member recommended. When the charter was renewed in the year 1794, the inquiry into the propriety of the renewal did not commence till the year 1793. Again, when the charter was renewed in the year 1814, the inquiry did not commence till the year 1813. We are now in the year 1829 deliberating on the question, and yet till the year 1834 the government of that country must remain on its present footing. The first thing to decide would be the propriety of giving notice to the East India Company. That notice must be given three years before the expiration of the charter; and as the charter did not expire till 1834, that notice need not be given till the year 1831. He thought that an inquiry commenced in the beginning of the session 1830 would be adequate to give the house all the information that would be necessary to enable it to decide on the preliminary points, whether in the year 1831 notice should be given to the East India Company. The right hon. gent. complimented the hon. member upon the ability he had displayed in his speech, as well as upon its tone and temper; and concluded by moving the previous question.

Mr. *Huskisson* was thankful to his right hon. friend for the assurance that the enquiry should take place at an early period of the next session, and that there would emanate from that quarter, from which it was always fitting that such information should emanate, a valuable mass of documentary information to guide their inquiries. At the same time he could not see any reason which should prevent them from entering into inquiry at the present moment. If we were to appoint a committee now, these advantages would arise from it—first of all, the members of the committee would be forced to know how serious, extensive, and important was the duty imposed upon them. They would have all the advantage of the recess to direct their studies, so as to enable them, if the committee were renewed in the next session

session, to discharge in a more efficient manner the duty devolved upon them by the orders of this house. It had been stated, that among the other questions which that duty would call upon them to decide, were questions connected with the happiness of India, and with the security of our possessions in that quarter of the globe—questions of settlement, questions of commercial policy, questions of civil policy, in all the different views in which the administration of a great empire could be considered. Considerations like these imperatively called upon parliament to look into this subject; and, therefore, if they were to begin their inquiry into it at this early period, even admitting that they were not bound to come to a decision before the close of four years, they would not be able to conclude it if they conducted it properly, in the course of the next session. However, he should be satisfied if the subject should be brought forward by those who were responsible for the administration of England and of India—he meant by members of the government—under the direction of the ministers of the crown, and in conformity with the course which they recommended as the most efficient. He thought that all questions relating to the future political administration of India should be carefully distinguished from those questions which were mixed up with the commercial pursuits of the East India Company; on that point there must be some change, if we did not wish to lose India. Looking at the character, the habits, and prejudices of the natives of that large continent, we could not apply to it the ordinary principles of colonization, nor deal with it as with a country which we occupied for the first time. Matters like these must go through a committee, and he would even say, that the judgment of the committee upon them must not be considered as binding upon parliament. For his own part he would own, that so far as his own inquiries and reflections had gone, he could not see the possibility of reconciling, to the degree which he could wish, the commercial interests of England with the administration of the political affairs of India, by a company of merchants who were engaged in the commerce of the country, over which they exercised sovereign rule. He thought that the principles of commerce as they affected private individuals, must be interfered with and destroyed, if private individuals were obliged to compete with rivals, enjoying the power of sovereignty, and possessing £25,000,000 of revenue from their commercial and territorial acquisitions. How they were to relieve themselves from this difficulty he could not tell; all that he could say at present was this, that it did appear to him, that the more they separated the commerce

of India from its sovereignty, the better would it be for the interests of all parties engaged in commerce with India—for the advancement of civilization in India—for the great interests of the people of India, and for the interests of the people of England, the consumers of the produce which India supplied, and the producers of the articles in which that produce was to be paid for. For if the East India Company were carrying on their commerce to the injury of individuals, as it had been confidently stated that they were, that injury must ultimately fall upon the people of England. Therefore it was that he wished to give to commerce a greater expansion than it had at present, and to rescue it from competing with that monstrous anomaly of commercial enterprise and sovereign power united in the same corporation. He wished it to be distinctly understood, that though he thought there was great evil in the present state of things; he did not think it arose from the conduct of the East-India Company, or that of the directors, who had exerted the greatest talent for the benefit of those whose interests they were selected to protect and to promote, but that it arose from the anomalous nature of the system itself. His right hon. friend said, that it was useless to enter upon any inquiry in this session. But he thought that if the inquiry should be commenced at an early period, and prosecuted to a conclusion as soon as possible, it would satisfy the house, the country, and the directors of the East India Company too, that it was for the interest of them all to make an alteration in the present charter at a period previous to the legal termination of the present bargain. He was of opinion that if a committee were appointed, the question of a more extended intercourse between this country and China might be settled at an earlier period than the year 1834. If we left foreigners to occupy for years the market—if we let the industrious Chinese deal with America for commodities, which they would at present as willingly take from us—if you prohibit too all commercial intercourse between China and Singapore, that glorious instance of the immense advantages derivable from free trade,—it may, perhaps, be too late to alter our policy, when the charter of the East-India Company has expired. In the years which must elapse between that time and the present, others will be engaged in that trade. The means of carrying on the intercourse between South America and China, would be seized by the merchants of other states, if we failed to avail ourselves of it. The United States of America had already got part of the carrying trade between them; and if we let three or four years pass without doing any thing, it may be productive of very great mischief to the position

position which England has to maintain in the East. It was not a matter of indifference that the house should show to the merchants and manufacturers of England, who were now labouring under great depression, that this was a question to which it was alive, and that it was looking to a satisfactory arrangement of it, as soon as it could be made with due attention to vested rights and interests. He advised the hon. member to withdraw his motion.

Mr. *Hume* was averse to delaying the inquiry, considering the distress of the country. To postpone the inquiry was telling the country that they (this house) did not choose to sit for its advantage. He thought that documentary evidence was of no use; he wished for oral evidence, not of Company's servants, who had peculiar views and prejudices. He wished for no committee appointed by government. In the peculiar circumstances of that house, a committee might be formed that would make any report that was wished for. He wanted to carry the point in opposition to the government, which alone would satisfy the country. By putting a question, and stating a case to a lawyer, you might get any answer you pleased; so a committee of this house might be appointed, and a case put to it, and any report obtained which was desired. And what was the use of reports? He dared say that nineteen out of twenty of the members on the neutral benches opposite had not read the fifth report on East-India affairs. He did not wish to detract from the merits of the East-India Company. He thought that the Court of Directors were most anxious to promote the interests of India, and to adopt whatever measures were calculated to do good to that country; he gave them credit for good intention; but he did not think their measures conducted to the end they had in view. The hon. member then went over the ground which had been trod by Mr. Whitmore, stating in the course of his observations, that he would pledge himself, it might appear strange and paradoxical to say so, but he pledged himself to show, that if the East India Company had not the monopoly of tea, merchants could be found ready to land tea in England and sell it at the cost price for which it was bought in China. The fact was, in Canton hundreds of thousands of pounds were due to English merchants which could not be paid in specie, which the monopoly of the East India Company did not allow to be paid in commodities, and for which therefore they had to take payment in bills on Calcutta, by which they incurred a loss of 20 or 30 per cent., owing to the state of the exchanges. Merchants, therefore, would be glad to take tea and other articles in pay-

ment, and bring them to England and sell them without charging anything for freight. If he could prove that fact, and he pledged himself to do so, he thought it sufficient to justify him in calling for an immediate inquiry. After proceeding, at considerable length, amidst much laughter, the hon. member concluded by saying that the house ought to pause and pause again before they refused to agree to the motion. There were ten thousand reasons why they should not refuse for one why they should. As for documentary evidence, every body knew that there was not one member in fifty who would take the trouble to read it. It was very easy, also, to make documentary evidence suit any purposes which the parties by whom it was prepared wished it to suit. In fact he would rather have no evidence at all than documentary evidence, collected with a particular view, and by particular persons. There was nothing like having the evidence of question and answer. That was the kind of evidence which he wished to have in the present session; that it might go to India, and that the parties interested might not be taken by surprise.

Mr. *Vesey Fitzgerald* should not have addressed the house but for the extraordinary speech of the hon. member for Montrose (Mr. *Hume*), dictated by a spirit of hostility not to government only, but to every class of persons, even the gentlemen on the neutral benches. With that peculiar modesty which belonged to the hon. member, he had arrogated to himself the right to censure all measures and all parties. The hon. member for Bridgnorth had made his statements in a tone very different from that of the hon. member for Montrose. There was no part of his right hon. friend's speech which justified the hon. member for Montrose in saying, "You tell the commercial interest we are indifferent to your sufferings." (*Hear, hear, from Mr. Hume*). The only return he would make to the hon. member's cheer was the strongest denial of the truth of his assertion. No liberal man could possibly have put such a construction on the statement of his right hon. friend. The inference was the more unfair, because it had been in the same breath inferred, and by the same hon. member also, that an inquiry of even one short month, nay one short week, would make the house perfectly competent to decide on the continuance of the system, or the expediency of its repeal. Nor was there any stronger ground for the supposition of the hon. member that the documentary evidence, for which a right hon. friend would move in the present session, was to be prepared with certain views. If the hon. gentleman thought that government would be influenced by a preconceived opinion on this subject, was there

there no danger that there were persons who would be influenced by a preconceived opinion the other way?

Mr. C. W. W. Wynn thought that the committee might begin their labours immediately. It was certainly desirable that that committee should originate with his Majesty's government, or be appointed with their concurrence. Momentous as the inquiry was, whether or not the charter should be renewed, with a view to the interests of this country, it dwindled into insignificance when the subject was looked at with reference to the interests of millions over whom we had assumed government. He thought therefore that no time ought to be lost in commencing the investigation. If a committee were appointed, it was not their opinion which he should look for, but the evidence which they could collect, and on which he should form his own opinion. It ought to be considered that the East-India Company were no longer the conductors of the trade with India; not a fifth part of that trade now passed through their hands. They might be designed as a body trading to China, and governing India. He confessed he regretted that the monopoly of the Company's trade to China had been extended for so long a time; and this he knew was the feeling of his late right hon. friend, who had immediately preceded him in the situation of president of the Board of Control.

Mr. Baring observed, that if a committee was now appointed, it should be a committee of preparation, to digest a plan for obtaining information, to receive the documentary evidence furnished by government, and to determine what portions of previous reports should be reprinted. He saw no reason why any committee appointed should be required to give their opinion on the subject, it would be sufficient for them to collect and report the evidence. He could not concur in the apprehension of the member for Montrose, that any partial view would be taken of the question. Although he was not in the habit of reposing unlimited confidence in his Majesty's government, he could not see what interest they could possibly have, except to do justice as far as they could between the East-India Company and the country. When the inquiry came to be instituted, it would perhaps be desirable to institute more than one committee. The inquiry into the East-India question might, in his opinion, be advantageously divided into three committees. The first a committee to ascertain the financial position of the East-India Company. This was indispensable; for when the opening of the trade to China had been talked of, it was said that if the Company were deprived of that trade, they would not have the means of meeting their debts,

and carrying on the government of India. It therefore became necessary to know the amount of the debts of the Company, and of their assets, their profits, and their probable future situation. Another committee would be advantageously employed in considering the commercial part of the question. The third committee might examine with great care, the condition of the people of India, and the effects likely to result from the unrestrained intercourse between this country and India. It could scarcely be necessary for him to say that the question, whether the tranquillity and happiness of India would be endangered by any new arrangement, was the greatest question of the whole. When the charter was last renewed, he had voted in favor of the Company, because he thought that great danger was involved in the extension of the trade then proposed. Happily those apprehensions had been negatived by the result; but if the doors were to be opened still more widely, he must say that he thought the question would be approached with great and serious care. He had only one more observation with which to trouble the House, and that was with a view of obviating the injury which might arise from the exaggerated statements that had been made of the benefits that would result from what was called opening the trade with India. Whoever had heard the able speech of the Hon. Member for Bridgenorth, must nevertheless allow that the hon. gentleman had

the opening of the trade was calculated to confer on the commercial interests of the country. He (Mr. Baring) would not deny that great benefits might arise from that opening; but when it was stated that it would lead the way to commerce with two or three hundred millions of people, the danger was that there would be no end to the preparations for taking advantage of so great a good; and that every body would be anxious to have a share in so rich a mine. Let it be recollected, however, that the trade was, at present, carried on by all the world; by the United States of America, and by almost every country in Europe. All that was wanted was that the commercial interest of England, generally, should participate in the advantage. If any notion should go abroad of immense benefits to this country from the proposed measure, he would venture to say that that notion would be followed by a greater disappointment than had ever before attended a similar expectation. One reason for wishing to go into an early consideration of the question was, to ascertain whether the East-India Company might not be induced to permit the participation by the general merchants of this country, not of that monopoly of the Company from which they derived their prin  
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cial profit—the importation of tea into this country—but of the indirect trade in that article from China to France, and Hamburg, and all other parts of Europe. If it were not speaking irreverently of persons whom he so highly respected, he should say that the Company were like the dog in the manger—they prevented any participation in a trade which they did not themselves enjoy. When this question came to be investigated by a committee, they would do justice to the liberality of the East-India Company, and to the disinterested and enlightened conduct of their governments in India. The system might be criticised as to parts, but as a whole the administration of India would bear a comparison with that of any government.

Sir. C. Forbes expressed his satisfaction at hearing of the intention of his Majesty's Ministers to take up this vast question, and he had no doubt that the report of the committee would be as fair and impartial as that of 1813. He agreed in the observation, that the trade with India formed the least important part of this great question: its principal object was the welfare of the natives of India. He was still of opinion that the union of the two characters of sovereign and merchant in the East-India Company was disadvantageous to the governed and the governors; some alteration must be made in this respect, for it was impossible that a private trade with India could be carried on in competition with the Company, who, even after the expiration of their charter, might carry on a trade thither as a corporation. Objectionable and faulty as the Company's government might be, he considered it to be preferable to that of our colonial governments, and he congratulated the natives of India in being placed under the government of the Company instead of the Crown. With regard to the China trade, it was his opinion that the expectations formed of the advantages to be derived from opening that branch of the trade would be disappointed. That empire was hermetically sealed against foreign commerce: the consequence of opening that trade to private traders would be a vast glut of exports, and a rise in the prices of commodities in China. The trade at Canton was carried on by a monopoly; the whole empire was managed by monopolies. The Hong merchants fixed the prices of the commodities, and the markets of Canton had maintained such a uniformity of prices for the last twenty years, that the article of cotton had seldom varied beyond eight or ten taels the pecul. Then trade was interdicted at every other port in China; and it was within his (the hon. baronet's) own knowledge, that an enterprising individual had fitted out a vessel for the purpose of forcing a trade in other parts of

the empire, who had not only been unable to open a trade with the natives, but had been obliged to purchase provisions by stealth, and with hard dollars. With respect to the private trade with India, it was only in its infancy; how was it to be increased? Not by the East-India Company, but by that house. Let his Majesty's Government begin by reducing the duties upon the commodities of India. A small duty was imposed upon English manufactures, but a heavy duty upon Indian commodities. Was that reciprocity? Was that free trade? We took away the raw cotton from the Indians, and sent them our cotton goods, which superseded their manufactures. He hoped that the inquiry proposed would embrace not our own interests merely, but those of the people of India.

Mr. Astell.—“Although it had been my intention in the early part of the evening to have troubled the house with my remarks, and possibly at some length, in the attempt to refute the arguments and expose the errors of the hon. member for Bridgnorth, I then abstained, in the belief that the proposition of the right hon. the Chancellor of the Exchequer would have made further discussion unnecessary. What has fallen from the hon. member for Callington makes it incumbent upon me now to trouble the house with a few observations. I can assure the house that there is no one who courts inquiry into this subject more cordially than I do, or who more deplores the ignorance which pervades this country with respect to India and the prejudices raised against the East-India Company and their affairs; and I am persuaded that a thorough investigation would tend to disperse those prejudices. The hon. member for Callington has pointed out the exaggerations of the hon. member for Bridgnorth, and I am not disposed at this late hour to enter into the particulars of the case; but I think that the house and the country should not be suffered to conclude that because benefit has been assumed to follow from the partial opening of the trade, an unrestricted free trade would have the same effect. An increased export to India is no proof of increased prosperity without a correspondent return from India. It is alleged that the opening of the China trade and the colonization of India by Europeans would lead to the introduction of the manufactures of this country to an unlimited extent; and it is even affirmed by the hon. gentleman, that it would afford to our manufacturers the markets of 300 millions of people! The East-India Company have nearly ceased to be exporters of goods as merchants, and their importations, which consist chiefly of silk and indigo, are made principally as means of remittance to enable them to defray the territorial charges incurred

incurred in this country on account of India. In their political capacity they are quite alive to the necessity of encouraging the products of the east. The article of cotton, to which reference has been had, is anything but neglected by the Company; much has been done with the sanction, or by the direction of the executive body in this country for the encouragement of the cultivators and the manufacturers; but the muslins of India, which had long been so famous, have been supplanted by the manufactures of Manchester and Glasgow. With regard to the giving greater facilities to the resort of Europeans to India, experience has shewn that the natives of that country will not (if I may so express myself) keep company with Europeans; and I would refer the house to a work lately published, the journal of Bishop Heber, in proof that nothing could be more impolitic than the unrestricted admission of Europeans into India. That country is sufficiently open to England for all useful and practical purposes: European articles are to be had at either of the presidencies almost as cheap as in England. The shipping interest is in as pitiable a condition; many ships being laid up in Calcutta, others coming home dead freighted, or at 15s. per ton. I think that these facts speak volumes. I shall feel glad if in the next session an opportunity be given of examining the whole subject. The result will, I am convinced, shew that the government of the Company has not only not been so defective as the advocates of free trade and colonization would endeavour to make this nation believe, but that the Company have been humble instruments in the hands of providence for conferring great benefits on the natives of India, who, from their peculiar connexion with this country have undoubtedly strong claims upon us. The moral happiness of the people has been much advanced by the government under which they are now placed; and as the knowledge of the institutions which we have introduced becomes more widely diffused, the more will they acquiesce in the benefit of our dominion, and the more will they profit by the protection it affords to them. It is our duty not to make experiments; we must proceed temperately, and with a view not merely to extend the commercial resources of this country, but to advance the happiness and prosperity of the millions in the east confided to our government."

Mr. Warburton observed, with reference to a recommendation of Sir C. Forbes, that young senators would qualify themselves for this question by visiting India,—that this plan, under the present system, was not so easy as he seemed to think: A distinguished foreigner, Baron Humboldt, being desirous of prosecuting his researches

in natural history in Nepaul, had applied for permission to go to India, and was refused. (Cries of "No, no.") Another individual, a distinguished merchant, had applied for permission to send an agent to India to superintend the manufacture of silk, and his request was refused. He, however, sent him in defiance of the refusal, and the East-India Company had the cowardice not to send him back, for fear of the exposure of their nefarious proceedings. (A laugh, and cries of "No, no.") The hon. member then censured the system of the Board of Control, which he thought required the attention of the house.

Lord Ashley observed, with respect to the allusion which had been made to the case of Baron Humboldt, that he had never heard of the circumstance before; and he put it to the hon. member for Bridport to say, whether it was likely that such conduct would be pursued towards that distinguished individual, when it was well known that persons engaged in such pursuits had constantly received encouragement and assistance from the Company.

Mr. Brougham observed, that the difference in the degree of monopoly, and the arrangement which must succeed the present system, must be regulated with a view to other and greater interests than were involved in the general question; for it should be observed, that this question was not commercial alone. They had in legislating on it three distinct subjects to consider: the commercial branch—the political branch, and that which was the most difficult and the most important, the connexion between both. The third question, though the most practical, was beyond doubt the most difficult; for the Company had grown up by degrees to be what no human imagination had ever divined that it would become—a great political body, trading in one respect at a loss, in another at a profit; but a great ruler over a great people,—one of the largest military powers in the world, and with two or three exceptions, the greatest maritime power in Europe; but, above all, somehow or other intrusted with the government of above 70,000,000 of people on the other side of the globe. Now, what the legislature had to consider was, whether they could preserve the rights and interests of those people, consistently with the abolition of the Company's monopoly; and that, he hoped, would be found perfectly possible. But whether this were so or not, or in whatever way the change must be effected, still it was clear, from the information which had been laid before them, that a change was necessary and inevitable. If the mercantile question only stood in the way, it could be easily dealt with; but the difficulty was, how

how the removal of the monopoly could be accomplished with perfect safety and security to the other great interests that were concerned—with safety to the essential interests of that immense country, and with safety also to that long-established government. When he said this, it would be at once conceived that he did not wish to transfer that government to this country; because, though an anomaly, yet the government of India, as regarded the interests of the people, and the maintenance of due and legal subordination there, could not, he thought, be placed so safely in other hands, even if they lived to see the Company cease to be traders, and aspire to become great governors of a mighty empire. These, however, were matters which would form the subject of future discussion. But that the circumstances of the time, connected as they must be with inquiry, would lead to a change—would lead to a great and radical change of the situation of this Company, he took to be as clear as possible. Trusting that this question would be settled satisfactorily in that house and out of it, so far as respected a great relaxation of the Company's monopoly, the only question being in what way that relaxation should be made, and what other guards should be introduced for the good government of India; and considering that in the next session ample opportunity would occur for the full investigation of the subject, he would join in requesting his hon. friend not to press the question at present.

The motion was negatived without a division, by the previous question being carried.

#### LAW.

##### PRIVY COUNCIL, May 14.

One of the most numerous meetings of of the Lords of his Majesty's Most Hon. Privy Council for some time past took place this morning in the Privy Council Chamber, Whitehall. The object of the meeting was to take into consideration a petition from Sir John Grant, one of the Judges of the Supreme Court of Judicature at Bombay, on behalf of the Judges of that Court, with respect to a letter written on the 3d of October, 1828, and signed by Sir John Malcolm, the Governor of Bombay, the Commander in Chief, and the two senior members of the Council, which letter, addressed to the Judges of the Supreme Court, expressed an opinion that the Court had exceeded its powers in issuing writs of *habeas corpus* in the case of one of the natives in the provinces, and requested them to suspend doing any acts of a similar description till the opinion of the Government at home, to whom application had been made, was known. The petition prayed the contents

of the letter to be taken into consideration, and that his Majesty, with the advice of his Privy Council, should make such order as he thought fit.

The Lords of the Council present were—the Lord Chancellor, the Lord President of the Council, the President of the board of Controul, the Lord Chief Justice of England, the Lord Chief Justice of the Court of Common Pleas, the Lord Chief Baron of the Exchequer, the Judge of the Prerogative Court, the Judge of the Admiralty Court, the Judge Advocate General, the Vice-President of the Board of Trade, the Right Hon. C. W. Wynn, and S. M. Phillpotts.

Mr. Horne, the counsel in support of the petition, commenced his address by stating, that the case to which allusion had been made in the Governor's letter, was one in which application had been made for a writ of *habeas corpus*, issued against a native of one of the provinces, to produce his nephew, whom it was asserted he kept confined, the uncle having an interest in the life of his nephew, being his heir. To this writ no sufficient return had been made, and ulterior measures were about to be ordered to enforce the order, when the letter above alluded to was received. The learned gentleman dwelt on the power possessed by the Court of King's Bench in this country, whereas by one part of the letter alluded to, an opinion was expressed that the power of the Supreme Court at Bombay was limited to British subjects and to the servants of the Company, and did not extend to native subjects, and pointed out the abuses which, in so restricted a state of things, might exist.

Mr. Horne was followed by Mr. Holderness, who cited the regulation act, and the charter establishing the court, to prove that it possessed the power which had been disputed.

Mr. Serjeant Bosanquet and Mr. Serjeant Spankie were heard in reply, on behalf of the East India Company; these gentlemen contended that the Court of Bombay did not possess the power of issuing writs of *habeas corpus* on native subjects, but that its power was limited to British subjects and the servants of the East-India Company; that it was a mistake to suppose, that because the Court was called that of the King's Bench, its powers were as extensive in India, as those possessed by the Court of King's Bench in this country. Cases similar to the one in question had been adduced as having taken place in India; but all that had been quoted as precedents occurred prior to the regulation act, which was passed to remedy the abuses which now were in existence in the courts of India. Several clauses in acts of Parliament referring to the Supreme Court of Bombay, were read and commented on,

as referring to the power of the court being restricted to certain classes of persons. The natives had their own provincial courts to appeal to.

Mr. Denman was heard in reply to Serjeants Bosanquet and Spankie, when the case closed, and counsel were ordered to withdraw.

Their Lordships remained about half an hour in deliberation, and separated without making their decision known.

### MISCELLANEOUS.

The Deputies who have arrived in town from Liverpool, Glasgow, Manchester, Bristol, and Birmingham, to advocate the cause of free trade with India and China, had an interview on the 9th May with his Grace the Duke of Wellington, Lord Ellenborough, the Chancellor of the Exchequer, and the President of the Board of Trade. The Deputies were introduced by Mr. Huskisson, and were accompanied by Mr. Whitmore, together with the members for Bristol, Liverpool, Glasgow, Lancashire, and Warwick. The interview lasted an hour, during which the Deputies were afforded an opportunity of explaining their sentiments and wishes. The Deputation was graciously received, and the Duke of Wellington promised that his Majesty's Government would bestow the most attentive consideration upon the representations made to it on the occasion.

### NEW COMMANDER-IN-CHIEF FOR BOMBAY.

A Court of Directors was held at the East-India House on the 27th May, when Lieut. Gen. Sir T. S. Beckwith, K.C.B., was appointed Commander-in-chief of the Company's forces at Bombay.

### PROMOTIONS AND CHANGES IN THE BRITISH ARMY.

(SERVING IN THE EAST.)

4th Lt. *Drage*. Capt. A. Houston, from h. p., to be Capt., v. R. Ellis, who exch., rec. dif. (2 Apr. 29).

13th Lt. *Drage*. Cornet R. Hackett, from h. p. to be Capt., v. Miller, app. to 2d *Drage*. (23d Apr. 29); Surg. Jas. Mout, from 14th F., to be Surg., v. Job, dec. (30 Apr.)

16th Lt. *Drage*. S. Blacklock to be cornet by purch., v. Johnston, who rets. (7 May 29).

1st Foot. Assist. Surg. J. Brydon, from 54th F., to be Assist. Surg., v. Dillon removed from service (28th Apr. 29).

2d Foot. Capt. H. Waring to be maj. by purch., v. Johnstone, who rets., and Lieut. R. Carruthers to be capt. by purch., v. Waring (both 16 Apr. 29); Ens. W. V. L. Hesse to be lieut., v. Knox dec. (15 Apr.); Ens. John Walton to be lieut. by purch., v. Carruthers (16 Apr.); H. T. McCree to be ens., v. Hesse (16 Apr.); T. Gravatt to be ens. by purch., v. Walton prom. (30 Apr.).

3d Foot. Geo. Bridge to be ens., v. J. Bridge, who resigns (16 Apr. 29).

15th Foot. Chas. Dunne to be ens., v. Thompson dec. (30 Apr. 29).

14th Foot. Ens. A. T. Eustace, from 53d F., to be lieut. by purch., v. Peuder, prom. in 63d F. (23 Apr. 29); Assist. Surg. J. McAndrew, from 1st F., to be Surg., v. Mout, app. to 13th L. Dr. (30 Apr.).

45th Foot. Ens. A. Cleudining to be lieut. by purch., v. Sykes, who rets.; and G. M. Metcalfe to be ens. by purch., v. Cleudining (both 9 Apr. 29).

48th Foot. Capt. John Grant, from h. p. 1st or Gr. F. Gu., to be capt., v. Wilson app. to 63d F. (16 Apr. 29).

49th Foot. Lieut. Jos. Stean to be capt., v. Danford dec. (1 Apr. 29); Capt. P. J. Leith, from h. p., to be capt., v. J. Sewell, who rets. (2 Apr.); Ens. A. Danell to be lieut., v. Stean (1 Apr.); H. G. Hart to be ens., v. Danell (1 Apr.); Lieut. Jas. Simpson to be adj., v. Stean (1 Apr.).

78th Foot. Maj. B. Adams, from h. p., to be maj., v. Jas. Mill, who exch., rec. dif. (7 May 29).

97th Foot. Capt. G. Hutchison, from h. p., to be capt., v. G. F. Greaves, who exch. (16 Apr. 29).

Ceylon Regt. Lieut. J. D. Bagrenall, from 29th F., to be capt., v. Brian dec. (16 Apr. 29); Lieut. R. Fawkes, from h. p., to be lieut., paying dif., v. Garstin, app. to 63d F. (23 May); Ens. J. J. Dwyer, from 18th F., to be lieut., v. Lambrecht, who resigns (23 May).

Brevet. Maj. Gen. Sir T. S. Beckwith, K.C.B., to be lieut. gen. in East-Indies only (23 Apr. 29).

### INDIA SHIPPING.

Arrivals.

April 27. *Ellen*, Camper, from Mauritius 16th Jan.; at Plymouth.—28. *Cornwall*, Aldham, from Bengal 15th Jan.; at Deal.—29. *Bolton*, Clarkson, from Bombay 9th Jan.; at Deal.—30. *Augusta*, Giles, from China 27th Dec.; at Cowes.—May 3. *Diamond*, Clark, from Bengal; at Gravesend.—3. *Charles Kerr*, Brodie, from Bombay 7th Dec., Allice, and Cape; at Gravesend.—3. *Emma*, Holmes, from Bombay 22d Dec., and Cape 14th Feb.; at Gravesend.—3. *Ullster*, Shannon, from Bombay 15th Dec.; at Gravesend.—3. *Mary*, Munro, from Mauritius; at Gravesend.—3. *Batavia*, House, from Batavia 3d Dec.; at Cowes (for Antwerp).—4. *Boyne*, Pope, from Bengal 6th Dec., and Madras 23d do.; at Gravesend.—4. *Portesue*, Henderson, from Mauritius 11th Jan.; at Gravesend.—4. *Elizabeth*, Stewart, from Cape of Good Hope 26th Feb.; at Deal.—6. *Eather*, Robinson, from Bombay 5th Dec., and Cape 4th Feb.; at Gravesend.—6. *H. M. S. Helicon*, Stanhope, from Mauritius 13th Dec., and Cape 15th Feb.; at Portsmouth.—6. *Packet*, McArthur, from Bengal and Mauritius; at Liverpool.—6. *Greenock*, Miller, from Bengal and London; at Leth.—9. *Asia*, Edmond, from Manila 21st July; at Cowes (for Antwerp).—10. *Lady Flora*, Fayer, from Bengal 11th Jan.; off Plymouth.—10. *H. C. S. George*, the Fourth, Barrow, from China 13th Jan.; off Plymouth.—10. *Superior*, Omond, from Mauritius 18th Feb.; at Liverpool.—10. *Aucuity*, Finlay, from Bengal and Cape; off Falmouth.—11. *Duke of Lancaster*, Hanney, from Bengal 22d Jan.; at Liverpool.—11. *Broxborough*, Chapman, from Bengal 15th Jan., and Cape 17th March; at Plymouth.—11. *Governor Harcourt*, Tullis, from Bengal 18th Jan., and Madras 29th do.; off Plymouth.—11. *H. C. S. Marquis of Huntley*, Fraser, from China 4th Jan.; off Plymouth.—11. *Recovery*, Chapman, from Bombay 11th Jan., and Cape 18th March; off Falmouth.—11. *Borodina*, Mantrap, from Mauritius 13th Feb.; off Penance.—12. *Chieftain*, Blair, from Bengal 16th Jan.; at Liverpool.—12. *Sir Francis Burton*, Reid, from Bombay; at Liverpool.—12. *Triumph*, Green, from Bombay 18th Jan., and Cape; off Weymouth.—13. *H. C. S. Asia*, Balderston, from Bengal 16th Jan.; off Plymouth.—13. *Columbia*, Kirkwood, from Bengal 6th Jan., and Cape 6th March; at Liverpool.—13. *H. C. S. Macquesen*, Walker, from China 15th Jan.; off Portsmouth.—14. *Seppings*, Loader, from Ceylon 26th Dec., and Mauritius 21st Feb.; off Plymouth.—16. *Arab* (transport), Lowe, from Ceylon 10th Dec.; at Portsmouth.—17. *Medina*, Mordaunt, from Bengal 10th Dec., and Madras 22d do.; off Portsmouth.—18. *Opton Castle*, Thacker, from Bombay 16th Jan.; at Deal.—18. *Asia*, Sless, from Bengal 15th Jan.; at Deal.—18. *Sarah*, Chryslie, from Singapore 2d Jan.; at Deal.—18. *Sir Francis MacNaghen*, Ferguson, from China 15th Dec., and Singapore 5th Jan.; off Schilly.—18. *Bussorah Merchant*, Balgrie, from Batavia 31st Dec.; at Portsmouth (for Antwerp).—21. *Joshua*, Prowse, from Cape of Good Hope 12th March; at Gravesend.—23. *Exporter*, Anwyl, from Mauritius 29th Nov., and Cape 8th March; at Gravesend.—23. *Prince Regent*, Richards, from Mauritius 6th Jan., and Cape 25th Feb.; off Portsmouth.



month.—23. *Scotia*, Simpson, from Bombay 24d Jan., at Greenock.—24. *George*, Lloyd, from Bengal 24th Dec., and Madras 14th Jan., at Deal.—25. *Luna*, Knox, from Cape of Good Hope 15th Feb.; off Plymouth.—26. *Amorah*, Boyd, from Bengal 7th Nov., Ceylon 20th Dec., and Cape 9th March; off Portsmouth.—25. *Exchange*, Tousel, from Mauritius; at Gravesend.—25. *Frederick*, Brand, from Batavia 10th Jan.; off Dover.

#### Departures.

April 23. *Elizabeth*, McDonald, for V. D. Land and N. S. Wales; from Deal.—30. H. C. S. *Waterloo*, Newall, for China; from Deal.—May 3. H. C. S. *Vansittart*, Scott, for China; from Deal.—3. *Sir Edward*, Paget, Campbell, for Madras and Bengal; from Deal.—3. *Alexander*, Ogilvie, for Clyde, Batavia, and Singapore; from Deal.—4. *Fanny*, Bundy, for Cape of Good Hope; from Deal.—9. H. C. S. *Sculsey Castle*, Burnett, for China; from Deal.—9. *Marquess of Anglesea*, Steward, for Swan River; from Portsmouth.—9. *Arabian*, Wills, for Bengal; from Liverpool.—9. *Pomona*, Highat, for Bombay; from Liverpool.—9. *Hero of Malouin*, Studd, for Bombay; from Portsmouth.—10. H. C. S. *Minerva*, Probyn, for Madras and Bengal; from Deal.—10. *Resolution*, Parker, for Cape of Good Hope; from Deal.—10. *Mountaineer*, Sheal, for Cape of Good Hope; from Deal.—13. H. C. S. *Thomas Grenville*, Shea, for Madras and Bengal; from Deal.—14. *Mary Ann*, Hopton, for V. D. Land and N. S. Wales; from Deal.—16. *Normand*, Holstein, for Isle of Bourbon and Mauritius; from Liverpool.—16. *Hebe*, Currie, for Bengal; from Greenock.—17. *Isabella*, Bouchier, for Bombay; from Portsmouth.—18. *Linnæus*, Winder, for Bombay; from Liverpool.—19. *Dorothy*, Garneck, for Bombay; from Liverpool.—20. *City of Aberdeen*, Duthie, for Batavia and Singapore; from Greenock.—21. H. M. S. *Zebra*, Priddy, for N. S. Wales and V. D. Land (with £30,000 specie on board); from Plymouth.—22. *Mary*, Jackson, for Mauritius and Bengal; from Deal.—23. *Norfolk*, Greig, for N. S. Wales (with convicts); from Portsmouth.—26. *Neptune*, Cumberlege, for Madras and Bengal; from Portsmouth.—24. *Amity*, Gray, for Cape, Mauritius, and Ceylon (with troops); from Portsmouth.—25. *Capricorn*, Smith, for Bombay; from Deal.—25. *Thorne*, Johnson, for Cape of Good Hope; from Deal.—25. *Sir Francis Burton*, Reed, for Bombay; from Liverpool.—27. *Lycurgus*, Crawshaw, for St. Helena (with coals); from Deal.

#### PASSENGERS FROM INDIA.

*Per Cornwall*, from Bengal: Mr. Colvin; Mrs. Bellow; Mrs. Thacker; Miss Baretto; Maj. Gen. Geo. Dick; Wm. Watts, Esq., civil service; Robert Brown, Esq., ditto; Alex. Colvin, Esq., ditto; Wm. Thacker, Esq., merchant; Geo. Dick, Esq., ditto; Capt. Pemberton, 59th N.I.; Lieut. Dormer, H.M.'s 14th Foot.—Children: Misses M. L. Pemberton, M. Leys, L. R. Watts, S. J. Bellow, M. A. T. Bellow, and F. Bellow; Masters G. Pemberton, J. Leys, J. Hathorn, J. Mackey, Jas. Mackey, C. Mackey, R. F. Leslie, Wm. Watts, Hy. Watts, Wm. Thacker, J. G. Bealand, and D. H. Bealand; 6 servants.

*Per Bolton*, from Bombay: Mrs. Simon; Mrs. Col. Taylor; Mrs. Capt. Adams; M. Clarkson; Francis Warden, Esq.; J. B. Simon, Esq.; Capt. Cruickshanks; Lieut. Turnbull; Misses A. Barr, E. Stevenson, Simon, and Adams; Masters C. Barr, L. Farquharson, and G. Gibson; 5 servants.

*Per Charles Kerr*, from Bombay: Mrs. Brodie; Mrs. Greenaway; Mrs. Swanstone; Mrs. Sutherland; Mrs. Bodham; Mrs. Lethbridge; Capt. Keys; Capt. Puen; Capt. Lethbridge; Capt. Swanstone; 18 children; 10 servants.

*Per Emma*, from Bombay: Dr. Gall.  
*Per Esther*, from Bombay: Mr. Harrison, Mrs. Harrison, and five children.

*Per Ulster*, from Bombay: Lieut. J. Newnham, Bombay marine.

*Per Boyne*, from Bengal and Madras: Mrs. White and Major Wh. Le., from Bengal; Mrs. Fraser, from ditto; Colonel Broke, from ditto; Lieut. Swinley, from ditto; Lieut. Oakley, Grantham, and Swinley, from Madras; Misses Beane, McMiller, C. McMiller, Shaw, Fraser, and Leith; two Masters White, Masters McMiller and Sheppard; 3 native servants.

*Per Euphrates* (arrived in March) from Bengal: Mrs. Simkins; Mrs. Dely, Mrs. Phillips, Mrs.

Hemming; Mrs. Preston; Capt. Phillips, R.N.; Misses Dely, Simkins, Bell, and 3 Phillips; Masters Bell, Campbell, Hemming, and Phillips.

*Per H. C. S. George the Fourth*, from China, &c.: Sir Alex. Campbell, H.M. 13th L. Drags., Lady Campbell, and two servants, all from St. Helena.

*Per Lady Flora*, from Bengal: Mrs. Wood; Mrs. Forde; Mrs. Smith, Lieut. Col. Wood, engineers; H. Wood, Esq., civil service; Major Smith, Lieut. Butcher, Lieut. Roebuck, and Cornet Reynolds, all of H.M. 11th L. Drags.; Lieut. Garbett, Bengal Artillery; Lieut. Scott, 38th N.I.; W. F. Lethbridge, Esq.; J. G. W. Curtis, Esq.; Misses Wood, Jane Wood, Smith, Beauchamp, and Lethbridge; Masters Dorin, Braddon, Currie, Boldero, 2 Forde, Smith, and Dolling.

*Per Duke of Lancaster*, from Bengal: Lieut. Col. R. W. Baldock; Lieut. Col. John Hay; Lieut. R. F. Mackenzie; Lieut. Biscow; Benj. Wolf, Esq.; Dr. J. Barber; Mrs. Barber and child.

*Per H. C. S. Maqueen*, from China: Dr. G. Alexander, superintending surgeon; Lieut. De Butts.

*Per H. C. S. Asia*, from Bengal: the Hon. Alex. Ramsay, civil service; Col. Murray, H.M. 16th Lancers; Lieut. Fraser, H.C. Cavalry; Mrs. Harding; Mrs. Hankey; Mrs. Marshall; W. J. Harding, Esq.; Lieut. Col. Shubrick, 1st L.C.; Capt. Carmichael, H.M. 59th Foot; Capt. M. Lynch, H.M. 14th do.; Lieut. Grimes, H.M. 13th do.; Lieut. Douglas, H.M. 16th do.; Masters Boileau, G. Rentin, F. Rentin, Abbott, and Hawtry.

*Per H. C. S. Marquis of Huntly*, from China, &c.: Mrs. Flint, widow of the late Capt. Flint, of Singapore; Mrs. Read; Miss Fraser; Mrs. Scott and six children, from Amjer; Capt. Siler, Bengal army; Capt. A. MacLeod, H.M. 1st Foot; Mr. Pitcairn, from Amjer; Misses Sophia Flint and Emma Read, from Singapore; Masters F. Lowden and W. Lowden, from Amjer.

*Per Triumph*, from Bombay: Mrs. Col. Scott; Mrs. Col. Stewart; Mrs. Major Snodgrass; Mrs. Dawson; Mrs. Babington; Mrs. Crichton; Miss Griffiths; Commodore Jeakes, Bombay marine; John Babington, Esq., Madras civil service; H. M. Blair, Esq., ditto; Lieut. Col. Stewart, Madras N.I.; Capt. Mathias, ditto; Capt. Lloyd, H.M. 2d regt., in charge of invalids; Misses Crichton, Mathias, Babington, 2 Stewart, and 2 Snodgrass; Masters Ogilvie, 2 Babington, Stewart, Crichton, Snodgrass, and Jenkes; 6 servants; 20 invalids H.M. 2d Foot; 5 soldiers' wives; 3 children of ditto.

*Per Governor Harcourt*, from Bengal and Madras: Jas. Grant, Esq.; Lieut. Ramsay.

*Per Broadbentury*, from Bengal: Mrs. Slater and child; Mrs. Francis and three children; Mrs. Bird and child; Mrs. Col. Whish and child; Mrs. Col. Stewart and two children; Mrs. Middleton; Mrs. Goode and child; Mrs. Clarke and child; Mrs. Morris and child; Mrs. Candy; Mrs. Chapman; Misses Weston, Burt, two Campbell, Taylor, and Schall; Lieut. Candy; Dr. H. Clarke; Rev. Mr. Morris; Col. Stewart; Capt. Stewart; Major Morrison; Judge Morrison; Lieut. Cary; Lieut. Hunter; Lieut. Fitzsimmons; Dr. Overton, 3d Buffs; Mr. Dana; Mrs. Thomson (Dr. Francis landed at the Cape).

*Per Recovery*, from Bombay: Mrs. Welch; Mrs. Blackett; Mrs. Kemp; A. Col. Welch; Col. Blackett; Mrs. Col. Riddell; Mr. Baker; Mrs. Baker and family; Mr. Grey and three children; Lieut. Taylor; Capt. Kelth; Lieut. MacLeod.

*Per Seppings*, from Ceylon: Dr. Collier; Mrs. Collier and child; Rev. Mr. Chater, Baptist Missionary; Mrs. Stewart; Mr. and Mrs. Luxmore; Mrs. Barnett and four children; Mr. H. Laird; two Masters Laird; Master Chater.

*Per Columbia*, from Bengal: Capt. Moody; Lieut. Littlejohn; Mr. Bird; Mr. Scallion, pilot H. C. marine; Mrs. Moody; Mrs. Scallion; Miss Scallion; 11 children; 6 servants.

*Per Medelina*, from Bengal and Madras: Rev. Wm. Sawyer; Lieut. Hunter, H.M. 45th regt.; Lieut. Bell, H.M. 48th do.; Lieut. Moorehouse, H.M. 13th do.; Mrs. Bennett; Mrs. Gideon; Mrs. Minter; Mrs. Moorehouse; Misses Denney, 3 Bennett, 2 Vernon, 2 Gideon, 2 Minter; Masters Minter and 3 Gideon.

*Per Upton Castle*, from Bombay: Mrs. Williams, wife of Mr. Williams, resident at Baroda; Mrs. Capt. Waddington and four children; Capt. Sandys, Madras Cavalry; Mrs. Sandys and two chil-

children; Capt. Stanley and two children; Lieuts. Barker, Birdmore and Forrest, H.M. 21st regt.; Lieut. Bailey, Madras army; Lieuts. Parkinson, Evans, Rooke, and Carstairs, Bombay army; 3 children belonging to Capt. Manson; 3 ditto belonging to Mr. Sanders; 85 Invalids.

*Per Sarah*, from Singapore: Miss Mackenzie; Lieut. S. Channel; Mrs. Channel and child.

*Per Jean Jacques*, from Bengal (arrived at Bordeaux): Geo. Leyburn, Esq.; Chas. Grove, Esq.; Mr. Lyall.

#### PASSENGERS TO INDIA.

*Per H. C. S. Waterloo*, for China (sailed 30th April): Dr. John Livingston, returning; Mr. H. J. Alexander, writer; Mr. Wm. Hollis, to command the *Louisa* cutter; one servant.

*Per H. C. S. Sateby Castle*, for China (sailed 9th May): Mr. J. W. Ballie, writer; Mr. J. T. Donovan, proceeding to Amoy; and two Chinese servants; nine Chinese sailors returning.

*Per H. C. S. Thomas Grenville*, for Madras (sailed 13th May): Lieut. Col. G. Jackson, Company's service; Capt. W. S. Hele, ditto; Mr. Jas. Kellie, assist. surgeon; Messrs. E. Norman, G. Glascock, and P. Ogilvie, cadets; Major Mount, H. M.'s 26th Foot.—For Bengal: Mrs. M. Higgins; Miss P. Anderson; Mr. J. Sutherland; Mr. H. Thomas; Mr. S. Howling, writer; Lieut. W. Gray, Company's service; Mrs. Gray; Lieut. J. Bartleman, Company's service; Mrs. Bartleman; Miss S. Bell; Mr. J. F. Garrell, cadet; one European servant; 100 H. C. recruits; 6 soldiers' wives; 2 children of ditto.—For Ceylon: Mr. English and Miss English.

*Per H. C. S. Minerva*, for Madras (sailed 10th May): Miss H. D. Randall, returning; D. Hill, Esq., senior merchant; Wm. Huddleston, ditto; Lieut. P. J. Begby, returning, in charge of recruits; Mrs. Begby and two daughters; Lieut. J. G. Deck, H. C. service; Mrs. Deck; Ens. Littlehales, H. C. service; Messrs. J. D. Bourdillon, John Mitchell, Thos. Pycroft, and G. S. Greenway, writers; Messrs. W. Marriott, F. Carruthers and H. R. Phillott, cadets; several servants; 100 H. C. recruits; 6 soldiers' wives; 4 children of ditto.—For Bengal: F. Macnaghton, Esq., senior merchant; Mr. C. R. Martin, returning; Mrs. Martin and two daughters; Miss J. Deans, niece of ditto; Miss E. Plushier, Mr. W. J. Conolly, factor; Mrs. Conolly; Mrs. S. Manning, returning; Miss J. Court; Mr. G. Dearnan; Messrs. E. Pellew, J. B. C. Bayley, R. M. Skinner, and J. D. Prendergrast, writers; Messrs. E. Lucas and A. D. Ferguson, cadets; Mr. H. Mackenzie, free merchant; Mr. J. Synce, shipwright; several servants.

*Per Neptune*, for Madras and Bengal: Mr. Dunlop; Mrs. Bowes; Miss Cumberland; two Misses Mackenzie; Mr. Metcalf; Lieut. McBriar; Capt. and Mrs. Thomas; Miss Wyche; Mr. and Mrs. Harrington; Messrs. Riddell, Currie, Fawkes, King, Harvey, Bryant, Watson, Brewer, and Brown; Dr. Duncan; Mr. and Mrs. Angelo.

*Per Roxburgh Castle*, for Madras and Bengal: Col. and Mrs. Hanks; Mrs. Cameron; Miss McDonald; Mr. Duncan; Mr. Daniel; Mr. Austen; Dr. and Mrs. Woodford; Mr. Edmonds; Dr. Cowan; Mr. Bruce and nephew; Dr. Stewart; Mr. and Mrs. Eden and servant; Lieut. Dixon and lady; Miss Tambs; Mr. Cowie; Mrs. Nichols; Mrs. Hill; Miss Willis; Lieut. Pantou; Miss Lewis; Capt. Bird and lady, and six servants.

*Per Isabella*, for Bombay: Sir Wm. and Lady Seymour; Capt. and Mrs. Foster; Mr. and Mrs. Norris; Mrs. Stewart; Miss Babington; Capt. Paull; Mr. Le Messurier; Mr. Barnard; Mr. Hopwood; Mr. Vallant; Mr. Wilde; Dr. Bourchier.

#### BIRTHS, MARRIAGES, AND DEATHS.

##### BIRTHS.

Dec. 15. At sea, on board the East-India ship *Calcutta*, the lady of Alex. Morgan, Esq., of a son.

April 26. At the East India College, the wife of the Rev. H. G. Keene, of a son.

May 2. At Gethic Cottage, Wimbledon, the lady of Colonel Hull, 1st Grenadier Regt. Bombay N. 1., of a son, still-born.

3. At Dulwich, the lady of H. S. Montagu, Esq., of a daughter.

3. At Stratford, on Avon, the lady of Capt. J. Crawford, Bombay marine, of a son.

4. In Sloane Street, the lady of Capt. D. R. Newall, Hon. E. I. Company's service, of a son.

7. At-Cross Hill, Berwickshire, the lady of Major Broughton, Hon. E. I. Company's Service, of a son.

11. At Lyndhurst, in the New Forest, the lady of Major Gilbert, of a son, still born.

26. In Berners Street, the lady of Capt. John Angelo, 3d Regt. Bengal Cavalry, of a daughter.

#### MARRIAGES.

April 21. At Aberdeen, Robert Davidson, Esq., of the Hon. E. I. Company's service, to Grace, eldest daughter of Capt. D. Gordon, Dee street, Aberdeen.

23. At Tamerton Follote, Devon, Mr. Jas. Robinson, of Sutton-place, Homerton, to Jane, widow of Capt. Wm. Black, of the Hon. E. I. Company's service.

27. At Bellavista, near Edinburgh, Dr. F. Burlin, of the Hon. E. I. Company's service, to Isabella, eldest daughter of Lieut. Col. Graham, Bellavista.

30. At Bath, W. H. Gomonde, Esq., youngest son of the late Major Gomonde, of the Hon. E. I. Company's service, to Anne, youngest daughter of the late Capt. Filmer, and niece of the Rev. Sir John Filmer, Bart., of East Sutton Park, Kent.

At Edinburgh, Jas. Shortreed, Esq., late of the Hon. E. I. Company's service, to Mary, second daughter of the late John Ainslie, Esq., Edinburgh.

May 2. At St. Ann's, Blackfriars, Dr. James Woodforde, of the Hon. E. I. Company's service, to Maria, second daughter of Dr. Clutterbuck.

3. At Bath, Capt. J. F. Bird, youngest son of the late C. Bird, Esq., of the Bengal civil service, to Harriet Augusta, eldest daughter of A. Harvey, Esq., M. D., of Edgar-buildings.

5. At Hampton, Middlesex, Mary Armstrong, daughter of the late Edw. Strettell, Esq., advocate general of the Hon. E. I. Company, to Octavius, son of the late Chas. Hanbury, Esq., of Halstead-hall, Essex.

12. At St. James' Church, R. L. Lukin, Esq., of the Hon. E. I. Company's military service, to Laura, eldest daughter of Mr. R. Preston, of Regent Street.

15. At St. Mary's Moorfields, C. H. Prichard, Esq., of the Hon. E. I. Company's home establishment, to Margaret Amelia Mansce.

21. At All Soul's Church, Langham-place, Jehephat Castell, Esq., of the Bengal medical establishment, to Rosalinda Helena, third daughter of Anthony Angelo, Esq.

#### DEATHS.

Feb. 4. At sea, on board the *Emma*, on the passage from Bombay, Capt. G. North, commander of that ship, aged 32.

March 1. At sea, on board the *Charles Kerr*, on the passage from Bombay, Lieut. Wright.

April 27. At Peebles, Mr. John Robertson, son of the late James Robertson, Esq., superintending surgeon, Bengal establishment.

May 2. On board the ship *Escher*, from Bombay, E. C. Harrison, Esq., garrison surgeon of that presidency.

11. At Gunden Terrace, Margaret, daughter of the late Capt. H. A. Harvey of the Hon. E. I. Company's service, in her 18th year.

9. At sea, on board the *Ganges*, on the passage home, Mrs. Norfor, from Madras—also on the 13th, her infant child.

16. At the Nore, Mr. Alex. Macqueen, fourth officer of the H. C. ship *Marquis of Huntly*.

17. At his house in Gloucester-place, John Fleming, Esq., former Physician-General on the Bengal establishment.

19. At Belmont, Kent, aged 83, the Right Hon. Lord Harris, G.C.B., general in his Majesty's army, colonel of the 73d Foot, and Governor of Dumbarton Castle. His lordship was the conqueror of Seringapatam.

22. In Charlotte Street, Portland Place, Marius Read, Esq., of the Bengal civil service, aged 21.

Lately. At Cheltenham, Lieut.-Colonel Young, of the Hon. E. I. Company's service, Bengal establishment.

— At St. Helena, on his way to England in the *Boyne*, Capt. Boyes, of H. M.'s 26th Foot.

# GOODS DECLARED FOR SALE AT THE EAST-INDIA HOUSE.

For Sale 1 June—Prompt 28 August.

Tea.—Bohea, 1,250,000 lb.; Congou, Campoi, Pekoe, and Souchong; 5,200,000 lb.; Twankay and Hyson-Skin, 1,100,000 lb.; Hyson, 250,000 lb.—Total, including Private-Trade, 7,800,000 lb.

For Sale 9 June—Prompt 4 September.

Company's.—Bengal and Coast Piece Goods, Damaged Piece Goods, and Callico Wrapper.

Private-Trade.—Nankeens—Bandannoes—Corahs—Choppahs—Doreas—Mulumuls—Nainsooks—Seerhaudconnaes—Blue Sallampores—Muslin Handkerchiefs—Madras Handkerchiefs—Ventapollam Handkerchiefs—Silk Handkerchiefs—Wrought Silks—Silk Corahs—Damasks—Shawls—Crape Shawls—Damask Crape Shawls—Embroidered Crape Shawls—Silk Piece Goods.

For Sale 16 June—Prompt 4 September.

Private-Trade.—Cashmere Shawls.

For Sale 22 June—Prompt 16 October.

Company's.—Bengal Raw Silk.

Private-Trade.—China, Bengal, Canton, and Persian Raw Silk.

For Sale 14 July—Prompt 9 October.

Company's and Licensed—Indigo.

## CARGOES OF EAST-INDIA COM- PANY'S SHIPS lately arrived.

CARGOES of the King George the Fourth, Macqueen, and Marquis of Huntly, from China; and the Almorah, Georgiana, Carr Brea Castle, Asia, and Governor Harcourt, from Bengal.

Company's.—Tea—Sugar—Saltpetre—Indigo—Cotton—Bengal Raw Silk—Bengal Coloured Cottons.

Private-Trade and Privilege.—Tea—Raw Silk—Wrought Silks—Crapes—Mother-of-Pearl Heads—Combs—Rice Paper—Soy—Table Mats—Bamboo Canes.

### LIST of SHIPS trading to INDIA and Eastward of the CAPE of GOOD HOPE.

Destination.	Applied to sail.	Ships' Name.	Tonnage.	Owners or Consignees.	Captains.	Where loadings.	References for Freight or Passage.
Madras & Bengal Madras, Finsang, & Singapore	1859. June 1	Duke of Bedford.	720	Cockerill and Co.	W. A. Bowen	E. I. Docks	Capt. Bowen, Jerusalem Coffee-house.
	June 5	Rochford Castle.	600	Wigram and Co.	George Denny	E. I. Docks	J. Pirie & Co., Freeman's-cl., Cornhill.
	Aug. 5	Lady Holland.	435	George Joad.	Samuel Snell	E. I. Docks	Thos. Surfen, George-yard.
	June 20	Madaline.	336	John A. Meburn	Francis Cochlan	W. I. Docks	E. Read, Riches'-court, Lime-street.
	10	Orion.	397	White and Cook	Thomas White	E. I. Docks	Wm. Abercrombie & Co., Cornhill.
Bengal	10	Victory.	715	Joseph L. Heathorn	C. Farquharson	E. I. Docks	Joseph L. Heathorn, Birch-in-lane.
	15	Diamond.	285	Richard Downs	George Clark	St. K. Docks	Arnold and Woollet, Clement's-lane.
	25	Corn Brea Castle.	380	Huddart and Co.	James Barber	E. I. Docks	John Pirie and Co.
	July 1	Providence.	676	Henry Read	Robert Ford	E. I. Docks	Edmund Read.
	10	Lady Flora.	718	Barber, Neate, and Co.	R. J. Fayer	E. I. Docks	Barber, Neate, & Co., Clement's-lane.
Bombay	10	Euphrates.	537	William Tindell	Wm. Buckham	City Canal.	John Lyncey, jun.
	20	Boyne.	624	George Green	Wm. L. Pope	E. L. Docks	John Pirie and Co.
	June 2	Fairy Queen.	130	Havildar and Harwik	Wm. Havildar	City Canal.	John Lyncey, jun.
	3	James and Thomas.	383	William Asbridge	Wm. Asbridge	W. I. Docks	William Redhead, jun., Lime-street.
	6	Captain Cook.	451	R. Champion	George Willis	W. I. Docks	W. Abercrombie & Co., Cornhill.
Mauritius & Ceylon	10	Lady Raglan.	617	Small, Colquhoun, & Co.	Wm. Tucker	E. I. Docks	John Pirie and Co.
	15	Mount Stuart.	611	Joseph L. Heathorn	Alex. Hensling	St. K. Docks	Joseph L. Heathorn.
	21	Bottom.	518	Michael Andrew	John Clarkson	W. I. Docks	Michael Andrew, Crown-court.
	July 15	Triumph.	334	Watson and Co.	William Brigg	St. K. Docks	E. and A. Rule.
	15	Upton Castle.	533	R. and T. Green	Thomas Green	W. I. Docks	R. Green, Change Alley.
Ceylon	15	Charles Kerr.	463	John Thacker	John Thacker	E. I. Docks	Gleasons & Co., & W. Abercrombie.
	15	Sunmary.	361	John Pirie and Co.	John Brodie	E. I. Docks	John Pirie and Co.
	15	Cygnet.	228	Alexander Forbes	James Stevens	W. I. Docks	John Lyncey, jun.
	20	Seppings.	340	John Craig	James Harvey	W. I. Docks	Buckles and Co., Mark-lane.
	20	Scence.	345	George Joad	William Loader	Depford	J. Chapman & Co., & Buckles & Co.
Singapore & Manila	July 8	Fredericks.	340	William Tindell	James Saunders	W. I. Docks	Thomas Surfen, George-yard.
	June 3	Orion.	215	Henry Laffer	Edward Jones	W. I. Docks	John Lyncey, jun.
	6	Hoopoe.	300	W. D. Dawson	William Rixon	W. I. Docks	Wm. Redhead, jun.
	6	Carnarvon.	350	Thorntons and West	Benjamin Sudwell	City Canal.	John S. Brinley, Birch-in-lane.
	June 14	Marguretha.	223	Robert King	Richard Winspear	W. I. Docks	W. D. Dawson & W. Buchanan.
Batavia and Singapore			400	Thorntons and West	Johan Klyne	City Canal.	John S. Brinley.

28th May 1859.

# EAST-INDIA COMPANY'S SHIPS, of the Season 1828-9, with their Managing Owners, Commanders, &c.

Voyage.	Ships.	Tons.	Managing Owners.	Commanders.	First Officers.	Second Officers.	Third Officers.	Fourth Officers.	Surgeons.	Pursers.	Consignments.	To be Afloated.	To be Graves-end.	When Sailed.
7	Buckinghamshire	1367	Company's Ship	R. Glaspoole	J. Hillman	Thos. Alchin	H. Cayley	C. W. White	A. Johnstone	R. G. Lancaster	Bombay & China	1828.	1828.	1828.
8	Harfordshire	1279	John Locke	W. M. Hope	E. Ford	R. Card	J. R. Lancaster	F. D. Hosman	J. Thomson	E. Crowfoot	Bombay & China	21 Nov	7 Dec.	9 Jan.
9	Brigadoater	1276	James Sims	J. R. Mansden	W. H. Walker	C. S. Baytree	Wm. Toller	J. M. Toller	G. Graham	W. Cliford	Bombay & China	21 Nov	7 Dec.	9 Jan.
10	Lady Melville	1263	O. Wigram	R. Clifford	R. Clifford	Wm. Lewis	T. Littlejohn	H. W. Alfred	T. Foulerton	W. Cliford	Bombay & China	21 Nov	7 Dec.	9 Jan.
11	General Kyd	1268	R. Small	Samuel Serle	R. Aplin	A. H. Crawford	John Domest	John Domest	John B. Down	F. P. Alleya	Bombay & China	8 Dec.	21 Dec.	26 do.
12	Yaghuaroon	1266	J. C. Lochner	J. Cruickshank	R. Jobling	G. Lloyd	J. G. Murray	T. Remie	John Garner	B. B. Lord	Bombay & China	8 Feb.	1828.	8 Feb.
13	Ingals	1268	R. Borradaile	J. Dudman	P. Herbert	W. B. Coles	Jas. Mowat	John Garner	John Lawson	B. Middlemas	Bombay & China	8 Feb.	1828.	9 do.
14	Duke of York	1267	S. Marjoribanks	G. Locke	G. Ireland	J. Thomson	Dudley North	H. L. Bayley	N. Mackenzie	W. E. Browne	Bombay & China	22 do.	5 Jan.	10 Feb.
15	Hartley	1267	S. Marjoribanks	C. C. Atherton	H. B. Avame	H. S. Isaacson	CK. Johnstone	Wm. T. Dry	R. Alexander	D. Grassick	Bombay & China	22 do.	5 Jan.	10 Feb.
16	Duke of Sussex	1266	S. Marjoribanks	J. H. Whitehead	John D. Orr	Basil W. Mure	C. Macrae	T. Onslow	John Sim	C. D. Morson	Bombay & China	22 do.	5 Jan.	10 Feb.
17	Atlas	1267	C. O. Mayne	John Hine	H. Brisow	John Vaux	C. Hawkins	C. Morgan	R. Murray	W. Gallaguer	Bombay & China	1828.	5 Jan.	19 do.
18	Kellic Castle	1232	Geo. Reed	E. L. Adams	R. Patullo	Francis West	W. S. Stockley	J. Hamilton	John Cullen	J. White	St. Helena, Str.	5 Jan.	19 do.	24 do.
19	Thames	1230	H. Blanshard	J. K. Forbes	Chas. Penny	Wm. Clark	John M. Favell	Wm. Rudd	A. J. Will	F. P. Cockrell	Madras & China	19 Jan	3 Feb.	12 Mar.
20	Windsor	1235	Geo. Clay	T. Havaside	W. MacNair	Mark Clayson	R. E. Warner	Benj. J. Elder	Joseph Docker	F. Jenkyns	Madras & China	19 Jan	3 Feb.	12 Mar.
21	Reynolds	1234	John F. Timins	J. Patterson	H. Gribble	A. C. Walling	G. S. Hist	H. Baker	Wm. Scott	N. G. Glass	Madras & China	19 Jan	3 Feb.	12 Mar.
22	Walsley	1278	Company's Ship	D. R. Newall	W. R. Blakely	F. Hedges	T. Packman	C. Evans	Adam Elliott	A. E. Dare	China	5 Mar.	20 Mar	25 Apr.
23	Walsley	1278	Company's Ship	R. Scott	H. Edmonis	A. C. Barclay	John Duncan	J. Campbell	J. W. Wilson	J. Ellis	China	5 Mar.	20 Mar	25 Apr.
24	Scoutby Castle	1242	Company's Ship	J. B. Burnett	Peter Pilcher	W. Taylor	J. Tate	D. Thompson	Wm. Hayland	John Benifield	China	5 Mar.	20 Mar	25 Apr.
25	Louther Castle	1247	Matthew Isacke	G. K. Bathie	J. Gismore	Thos. Addison	J. Hayward	R. Barton	John Lester	Thos. Storey	China	5 Mar.	20 Mar	25 Apr.
26	Louther Castle	1247	Wm. Moffat	R. B. Everest	J. Coates	C. A. Eastmire	C. H. Leaver	A. Burnell	Wm. Scott	F. Palmer	China	5 Mar.	20 Mar	25 Apr.
27	Thomas Grenville	961	Company's Ship	Chas. Shea	R. Robson	J. Crozier	A. Tinson	B. L. Littlehales	Jas. Brown	J. Adams	Madras & Bengal	10 do.	10 do.	23 do.
28	Princess Charlotte	976	Geo. Palmer	G. Probyn	C. W. Francken	David Home	C. B. Gribble	C. J. Delvalle	R. McClintock	W. H. Hunt	Madras & Bengal	10 do.	10 do.	23 do.
29	Princess Charlotte	976	Geo. Palmer	G. Probyn	C. W. Francken	David Home	C. B. Gribble	C. J. Delvalle	R. McClintock	W. H. Hunt	Madras & Bengal	10 do.	10 do.	23 do.
30	Princess Charlotte	976	Geo. Palmer	G. Probyn	C. W. Francken	David Home	C. B. Gribble	C. J. Delvalle	R. McClintock	W. H. Hunt	Madras & Bengal	10 do.	10 do.	23 do.
31	Princess Charlotte	976	Geo. Palmer	G. Probyn	C. W. Francken	David Home	C. B. Gribble	C. J. Delvalle	R. McClintock	W. H. Hunt	Madras & Bengal	10 do.	10 do.	23 do.
32	Princess Charlotte	976	Geo. Palmer	G. Probyn	C. W. Francken	David Home	C. B. Gribble	C. J. Delvalle	R. McClintock	W. H. Hunt	Madras & Bengal	10 do.	10 do.	23 do.
33	Princess Charlotte	976	Geo. Palmer	G. Probyn	C. W. Francken	David Home	C. B. Gribble	C. J. Delvalle	R. McClintock	W. H. Hunt	Madras & Bengal	10 do.	10 do.	23 do.
34	Princess Charlotte	976	Geo. Palmer	G. Probyn	C. W. Francken	David Home	C. B. Gribble	C. J. Delvalle	R. McClintock	W. H. Hunt	Madras & Bengal	10 do.	10 do.	23 do.
35	Princess Charlotte	976	Geo. Palmer	G. Probyn	C. W. Francken	David Home	C. B. Gribble	C. J. Delvalle	R. McClintock	W. H. Hunt	Madras & Bengal	10 do.	10 do.	23 do.
36	Princess Charlotte	976	Geo. Palmer	G. Probyn	C. W. Francken	David Home	C. B. Gribble	C. J. Delvalle	R. McClintock	W. H. Hunt	Madras & Bengal	10 do.	10 do.	23 do.
37	Princess Charlotte	976	Geo. Palmer	G. Probyn	C. W. Francken	David Home	C. B. Gribble	C. J. Delvalle	R. McClintock	W. H. Hunt	Madras & Bengal	10 do.	10 do.	23 do.
38	Princess Charlotte	976	Geo. Palmer	G. Probyn	C. W. Francken	David Home	C. B. Gribble	C. J. Delvalle	R. McClintock	W. H. Hunt	Madras & Bengal	10 do.	10 do.	23 do.
39	Princess Charlotte	976	Geo. Palmer	G. Probyn	C. W. Francken	David Home	C. B. Gribble	C. J. Delvalle	R. McClintock	W. H. Hunt	Madras & Bengal	10 do.	10 do.	23 do.
40	Princess Charlotte	976	Geo. Palmer	G. Probyn	C. W. Francken	David Home	C. B. Gribble	C. J. Delvalle	R. McClintock	W. H. Hunt	Madras & Bengal	10 do.	10 do.	23 do.
41	Princess Charlotte	976	Geo. Palmer	G. Probyn	C. W. Francken	David Home	C. B. Gribble	C. J. Delvalle	R. McClintock	W. H. Hunt	Madras & Bengal	10 do.	10 do.	23 do.
42	Princess Charlotte	976	Geo. Palmer	G. Probyn	C. W. Francken	David Home	C. B. Gribble	C. J. Delvalle	R. McClintock	W. H. Hunt	Madras & Bengal	10 do.	10 do.	23 do.
43	Princess Charlotte	976	Geo. Palmer	G. Probyn	C. W. Francken	David Home	C. B. Gribble	C. J. Delvalle	R. McClintock	W. H. Hunt	Madras & Bengal	10 do.	10 do.	23 do.
44	Princess Charlotte	976	Geo. Palmer	G. Probyn	C. W. Francken	David Home	C. B. Gribble	C. J. Delvalle	R. McClintock	W. H. Hunt	Madras & Bengal	10 do.	10 do.	23 do.
45	Princess Charlotte	976	Geo. Palmer	G. Probyn	C. W. Francken	David Home	C. B. Gribble	C. J. Delvalle	R. McClintock	W. H. Hunt	Madras & Bengal	10 do.	10 do.	23 do.
46	Princess Charlotte	976	Geo. Palmer	G. Probyn	C. W. Francken	David Home	C. B. Gribble	C. J. Delvalle	R. McClintock	W. H. Hunt	Madras & Bengal	10 do.	10 do.	23 do.
47	Princess Charlotte	976	Geo. Palmer	G. Probyn	C. W. Francken	David Home	C. B. Gribble	C. J. Delvalle	R. McClintock	W. H. Hunt	Madras & Bengal	10 do.	10 do.	23 do.
48	Princess Charlotte	976	Geo. Palmer	G. Probyn	C. W. Francken	David Home	C. B. Gribble	C. J. Delvalle	R. McClintock	W. H. Hunt	Madras & Bengal	10 do.	10 do.	23 do.
49	Princess Charlotte	976	Geo. Palmer	G. Probyn	C. W. Francken	David Home	C. B. Gribble	C. J. Delvalle	R. McClintock	W. H. Hunt	Madras & Bengal	10 do.	10 do.	23 do.
50	Princess Charlotte	976	Geo. Palmer	G. Probyn	C. W. Francken	David Home	C. B. Gribble	C. J. Delvalle	R. McClintock	W. H. Hunt	Madras & Bengal	10 do.	10 do.	23 do.
51	Princess Charlotte	976	Geo. Palmer	G. Probyn	C. W. Francken	David Home	C. B. Gribble	C. J. Delvalle	R. McClintock	W. H. Hunt	Madras & Bengal	10 do.	10 do.	23 do.
52	Princess Charlotte	976	Geo. Palmer	G. Probyn	C. W. Francken	David Home	C. B. Gribble	C. J. Delvalle	R. McClintock	W. H. Hunt	Madras & Bengal	10 do.	10 do.	23 do.
53	Princess Charlotte	976	Geo. Palmer	G. Probyn	C. W. Francken	David Home	C. B. Gribble	C. J. Delvalle	R. McClintock	W. H. Hunt	Madras & Bengal	10 do.	10 do.	23 do.
54	Princess Charlotte	976	Geo. Palmer	G. Probyn	C. W. Francken	David Home	C. B. Gribble	C. J. Delvalle	R. McClintock	W. H. Hunt	Madras & Bengal	10 do.	10 do.	23 do.
55	Princess Charlotte	976	Geo. Palmer	G. Probyn	C. W. Francken	David Home	C. B. Gribble	C. J. Delvalle	R. McClintock	W. H. Hunt	Madras & Bengal	10 do.	10 do.	23 do.
56	Princess Charlotte	976	Geo. Palmer	G. Probyn	C. W. Francken	David Home	C. B. Gribble	C. J. Delvalle	R. McClintock	W. H. Hunt	Madras & Bengal	10 do.	10 do.	23 do.
57	Princess Charlotte	976	Geo. Palmer	G. Probyn	C. W. Francken	David Home	C. B. Gribble	C. J. Delvalle	R. McClintock	W. H. Hunt	Madras & Bengal	10 do.	10 do.	23 do.
58	Princess Charlotte	976	Geo. Palmer	G. Probyn	C. W. Francken	David Home	C. B. Gribble	C. J. Delvalle	R. McClintock	W. H. Hunt	Madras & Bengal	10 do.	10 do.	23 do.
59	Princess Charlotte	976	Geo. Palmer	G. Probyn	C. W. Francken	David Home	C. B. Gribble	C. J. Delvalle	R. McClintock	W. H. Hunt	Madras & Bengal	10 do.	10 do.	23 do.
60	Princess Charlotte	976	Geo. Palmer	G. Probyn	C. W. Francken	David Home	C. B. Gribble	C. J. Delvalle	R. McClintock	W. H. Hunt	Madras & Bengal	10 do.	10 do.	23 do.
61	Princess Charlotte	976	Geo. Palmer	G. Probyn	C. W. Francken	David Home	C. B. Gribble	C. J. Delvalle	R. McClintock	W. H. Hunt	Madras & Bengal	10 do.	10 do.	23 do.
62	Princess Charlotte	976	Geo. Palmer	G. Probyn	C. W. Francken	David Home	C. B. Gribble	C. J. Delvalle	R. McClintock	W. H. Hunt	Madras & Bengal	10 do.	10 do.	23 do.
63	Princess Charlotte	976	Geo. Palmer	G. Probyn	C. W. Francken	David Home	C. B. Gribble	C. J. Delvalle	R. McClintock	W. H. Hunt	Madras & Bengal	10 do.	10 do.	23 do.
64	Princess Charlotte	976	Geo. Palmer	G. Probyn	C. W. Francken	David Home	C. B. Gribble	C. J. Delvalle	R. McClintock	W. H. Hunt	Madras & Bengal	10 do.	10 do.	23 do.
65	Princess Charlotte	976	Geo. Palmer	G. Probyn	C. W. Francken	David Home	C. B. Gribble	C. J. Delvalle	R. McClintock	W. H. Hunt	Madras & Bengal	10 do.	10 do.	23 do.
66	Princess Charlotte	976	Geo. Palmer	G. Probyn	C. W. Francken	David Home	C. B. Gribble	C. J. Delvalle	R. McClintock	W. H. Hunt	Madras & Bengal	10 do.	10 do.	23 do.
67	Princess Charlotte	976	Geo. Palmer	G. Probyn	C. W. Francken	David Home	C. B. Gribble	C. J. Delvalle	R. McClintock	W. H. Hunt	Madras & Bengal	10 do.	10 do.	23 do.
68	Princess Charlotte	976	Geo. Palmer	G. Probyn	C. W. Francken	David Home	C. B. Gribble	C. J. Delvalle	R. McClintock	W. H. Hunt	Madras & Bengal	10 do.	10 do.	23 do.
69	Princess Charlotte	976	Geo. Palmer	G. Probyn	C. W. Francken	David Home	C. B. Gribble	C. J. Delvalle	R. McClintock	W. H. Hunt	Madras & Bengal	10 do.	10 do.	23 do.
70	Princess Charlotte	976	Geo. Palmer	G. Probyn	C. W. Francken	David Home	C. B. Gribble	C. J. Delvalle	R. McClintock	W. H. Hunt	Madras & Bengal	10 do.	10 do.	23 do.
71	Princess Charlotte	976	Geo. Palmer	G. Probyn	C. W. Francken	David Home	C. B. Gribble	C. J. Delvalle	R. McClintock	W. H. Hunt	Madras & Bengal	10 do.	10 do.	23 do.
72	Princess Charlotte	976	Geo. Palmer	G. Probyn	C. W. Francken	David Home	C. B. Gribble	C. J. Delvalle	R. McClintock	W. H. Hunt	Madras & Bengal	10 do.	10 do.	23 do.
73	Princess Charlotte	976	Geo. Palmer	G. Probyn	C. W. Francken	David Home	C. B. Gribble	C. J. Delvalle	R. McClintock	W. H. Hunt	Madras & Bengal	10 do.	10 do.	23 do.
74	Princess Charlotte	976	Geo. Palmer	G. Probyn	C. W. Francken	David Home	C. B. Gribble	C. J. Delvalle	R. McClintock	W. H. Hunt	Madras & Bengal	10 do.	10 do.	23 do.
75	Princess Charlotte	976	Geo. Palmer	G. Probyn	C. W. Francken	David Home	C. B. Gribble	C. J. Delvalle	R. McClintock	W. H. Hunt	Madras & Bengal	10 do.	10 do.	23 do.
76	Princess Charlotte	976	Geo. Palmer	G. Probyn	C. W. Francken	David Home	C. B. Gribble	C. J. Delvalle	R. McClintock	W. H. Hunt	Madras & Bengal	10 do.	10 do.	23 do.
77	Princess Charlotte	976	Geo. Palmer	G. Probyn	C. W. Francken	David Home	C. B. Gribble	C. J. Delvalle	R. McClintock	W. H. Hunt	Madras & Bengal	10 do.	10 do.	23 do.
78	Princess Charlotte	976	Geo. Palmer	G. Probyn	C. W. Francken	David Home	C. B. Gribble	C. J. Delvalle	R. McClintock	W. H. Hunt	Madras & Bengal	10 do.	10 do.	23 do.
79	Princess Charlotte	976	Geo. Palmer	G. Probyn	C. W. Francken	David Home	C. B. Gribble	C. J. Delvalle	R. McClintock	W. H. Hunt	Madras & Bengal	10 do.	10 do.	23 do.
80	Princess Charlotte	976	Geo. Palmer	G. Probyn	C. W. Francken	David Home	C. B. Gribble	C. J. Delvalle	R. McClintock	W. H. Hunt	Madras & Bengal	10 do.	10 do.	23 do.
81	Princess Charlotte	976	Geo. Palmer	G. Probyn	C. W. Francken	David Home	C. B. Gribble	C. J. Delvalle	R. McClintock	W. H. Hunt	Madras & Bengal	10 do.	10 do.	23 do.
82	Princess Charlotte	976	Geo. Palmer	G. Probyn	C. W. Francken	David Home	C. B. Gribble	C. J. Delvalle	R. McClintock	W. H. Hunt	Madras & Bengal	10 do.	10 do.	23 do.
83	Princess Charlotte	976	Geo. Palmer	G. Probyn	C. W. Francken	David Home	C. B. Gribble	C. J. Delvalle	R. McClintock	W. H. Hunt	Madras & Bengal	10 do.	10 do.	23 do.
84	Princess Charlotte	976	Geo. Palmer	G. Probyn	C. W. Francken	David Home	C. B. Gribble	C. J. Delvalle	R. McClintock	W. H. Hunt	Madras & Bengal	10 do.	10 do.	23 do.
85	Princess Charlotte	976	Geo. Palmer	G. Probyn	C. W. Francken	David Home	C. B. Gribble	C. J. Delvalle	R. McClintock	W. H. Hunt	Madras & Bengal	10 do.	10 do.	23 do.
86	Princess Charlotte	976	Geo. Palmer	G. Probyn	C. W. Francken	David Home	C. B. Gribble	C. J. Delvalle	R. McClintock	W. H. Hunt	Madras & Bengal	10 do.	10 do.	23 do.
87	Princess Charlotte	976	Geo. Palmer	G. Probyn	C. W. Francken	David Home	C. B. Gribble	C. J. Delvalle	R. McClintock	W. H. Hunt	Madras & Bengal	10 do.	10 do.	23 do.
88	Princess Charlotte	976	Geo. Palmer	G. Probyn	C. W. Francken	David Home	C. B. Gribble	C. J. Delvalle	R. McClintock	W. H. Hunt	Madras & Bengal	10 do.	10 do.	23 do.
89	Princess Charlotte	976	Geo. Palmer	G. Probyn	C. W. Francken	David Home	C. B. Gribble	C. J. Delvalle	R. McClintock	W. H. Hunt	Madras & Bengal	10 do.	10 do.	23 do.
90	Princess Charlotte	976	Geo. Palmer	G. Probyn	C. W. Francken	David Home	C. B. Gribble	C. J. Delvalle	R. McClintock	W. H. Hunt	Madras & Bengal	10 do.	10 do.	23 do.
91	Princess Charlotte	976	Geo. Palmer	G. Probyn	C. W. Francken	David Home	C. B. Gribble	C. J. Delvalle	R. McClintock	W. H. Hunt	Madras & Bengal	10 do.	10 do.	23 do.
92	Princess Charlotte	976	Geo. Palmer	G. Probyn	C. W. Francken	David Home	C. B. Gribble	C. J. Delvalle	R. McClintock	W. H. Hunt	Madras & Bengal	10 do.	10 do.	23 do.
93	Princess Charlotte	976	Geo. Palmer	G. Probyn	C. W. Francken	David Home	C. B. Gribble	C. J. Delvalle	R. McClintock	W. H. Hunt	Madras & Bengal	10 do.	10 do.	23 do.
94	Princess Charlotte	976	Geo. Palmer	G. Probyn	C. W. Francken	David Home	C. B. Gribble	C. J. Delvalle	R. McClintock	W. H. Hunt	Madras & Bengal	10 do.	10 do.	23 do.
95	Princess Charlotte	976	Geo. Palmer	G. Probyn	C. W. Francken	David Home	C. B. Gribble	C. J. Delvalle	R. McClintock	W. H. Hunt	Madras & Bengal	10 do.	10 do.	23 do.
96														

# PRICE CURRENT, May 26.

EAST-INDIA PRODUCE.				Indigo, Blue.....lb				£. s. d.				£. s. d.			
		£. s. d.	£. s. d.												
Coffee, Java.....cwt	1 12 0	—	1 16 0	—	Blue and Violet.....	0 9 6	—	0 9 8	—	0 9 3	—	0 8 6	—	0 8 3	—
— Cheribon.....	—	—	—	—	— Violet.....	0 7 0	—	0 7 3	—	0 6 0	—	0 6 0	—	0 5 7	—
— Sumatra.....	1 10 0	—	1 14 0	—	— Violet and Copper.....	0 5 9	—	0 6 9	—	0 5 0	—	0 5 0	—	0 4 6	—
— Bourbon.....	—	—	—	—	— Copper.....	0 5 0	—	0 6 6	—	0 4 6	—	0 4 6	—	0 4 3	—
— Mocha.....	3 5 0	—	5 18 0	—	— Consuming sorts.....	0 4 9	—	6 0 0	—	0 2 10	—	0 4 6	—	0 4 6	—
Cotton, Surat.....	0 0 4	—	0 0 5	—	— Oude good and fine.....	0 3 6	—	0 4 3	—	0 11 0	—	0 13 0	—	0 10 0	—
— Madras.....	0 0 4	—	0 0 5	—	— Do. ord. and bad.....	0 10 0	—	7 0 0	—	1 14 0	—	1 0 0	—	1 0 0	—
— Bengal.....	0 0 4	—	0 0 5	—	— Low and bad Oude.....	1 5 3	—	—	—	—	—	—	—	—	—
— Bourbon.....	0 0 6	—	0 0 9	—	— Madras extra fine.....	—	—	—	—	—	—	—	—	—	—
Drugs & for Dyeing.					— Do. ord. to fine.....	—	—	—	—	—	—	—	—	—	—
Aloes, Epatica.....cwt.	10 0 0	—	14 0 0	—	Rice, Bengal White.....cwt.	—	—	—	—	—	—	—	—	—	—
Anniseeds, Star.....	4 12 0	—	4 15 0	—	— Patna.....	—	—	—	—	—	—	—	—	—	—
Borax, Refined.....	2 10 0	—	3 0 0	—	— Safflower.....	—	—	—	—	—	—	—	—	—	—
— Unrefined, or Tincal	3 10 0	—	3 15 0	—	— Sago.....	—	—	—	—	—	—	—	—	—	—
Camphire.....	6 0 0	—	7 10 0	—	— Saltpetre.....	—	—	—	—	—	—	—	—	—	—
Cardamoms, Malabar.....lb	0 6 0	—	0 7 0	—	Silk, Bengal Skein.....lb	—	—	—	—	—	—	—	—	—	—
— Ceylon.....	0 1 4	—	—	—	— Novi.....	—	—	—	—	—	—	—	—	—	—
Cassia Buds.....cwt.	5 10 0	—	6 0 0	—	— Ditto White.....	—	—	—	—	—	—	—	—	—	—
— Lignea.....	4 4 0	—	4 15 0	—	— China.....	0 15 6	—	0 18 0	—	0 4 0	—	0 8 0	—	0 1 6	—
Castor Oil.....lb	0 1 0	—	0 1 9	—	— Spices, Cinnamon.....	—	—	—	—	—	—	—	—	—	—
Dragon's Blood.....cwt.	3 0 0	—	22 0 0	—	— Cloves.....	0 0 11	—	0 1 6	—	0 3 6	—	0 6 6	—	0 3 6	—
Gum Ammoniac, lump.....	2 10 0	—	4 10 0	—	— Mace.....	0 3 0	—	0 3 6	—	0 16 0	—	0 17 0	—	0 0 4	—
— Arabic.....	1 8 0	—	3 10 0	—	— Nutmegs.....	0 0 4	—	0 0 5	—	1 8 0	—	1 15 0	—	1 10 0	—
— Asafoetida.....	1 0 0	—	4 0 0	—	— Ginger.....cwt.	—	—	—	—	—	—	—	—	—	—
— Benjamin.....	2 0 0	—	30 0 0	—	— Pepper, Black.....lb	—	—	—	—	—	—	—	—	—	—
— Anihi.....	3 0 0	—	9 0 0	—	— White.....	—	—	—	—	—	—	—	—	—	—
— Gambogium.....	17 0 0	—	23 0 0	—	Sugar, Bengal.....cwt.	—	—	—	—	—	—	—	—	—	—
— Myrrh.....	3 0 0	—	15 0 0	—	— Siam and China.....	1 6 0	—	1 10 0	—	0 1 7	—	0 2 0	—	0 3 6	—
— Oilbanum.....	2 0 0	—	5 0 0	—	— Mauritius.....	—	—	—	—	—	—	—	—	—	—
Kino.....	9 0 0	—	11 0 0	—	— Tea, Bohea.....lb	0 2 1	—	0 3 6	—	0 3 1	—	0 3 8	—	0 2 3	—
Lac Lake.....lb	0 1 0	—	0 2 0	—	— Congou.....	0 2 1	—	0 3 6	—	0 2 3	—	0 3 6	—	0 2 3	—
— Dye.....	0 3 6	—	0 3 8	—	— Soucheong.....	0 2 1	—	0 3 6	—	0 2 3	—	0 3 6	—	0 2 3	—
— Shell.....cwt.	3 18 0	—	5 5 0	—	— Campou.....	0 2 3	—	0 3 6	—	0 2 3	—	0 3 6	—	0 2 3	—
— Stick.....	3 0 0	—	4 0 0	—	— Fwankay.....	0 2 3	—	0 3 6	—	0 2 3	—	0 3 6	—	0 2 3	—
Musk, China.....oz.	1 5 0	—	1 15 0	—	— Pakee.....lb	0 2 3	—	0 3 0	—	0 2 3	—	0 3 0	—	0 2 3	—
Oil, Cassia.....	0 0 4	—	—	—	— Hyson Skin.....	0 3 9	—	0 5 9	—	1 0 0	—	2 14 0	—	9 0 0	—
— Cinnamon.....	0 17 0	—	—	—	— Hyson.....	—	—	—	—	—	—	—	—	—	—
— Cloves.....lb	0 0 6	—	0 0 8	—	— Young Hyson.....	—	—	—	—	—	—	—	—	—	—
— Mace.....	0 0 1	—	0 0 2	—	— Gunpowder.....	—	—	—	—	—	—	—	—	—	—
— Nutmegs.....	0 2 9	—	0 3 2	—	Tortoiseshell.....	1 0 0	—	2 14 0	—	9 0 0	—	10 0 0	—	—	—
Opium.....	—	—	—	—	Wood, Sanders Red.....ton	—	—	—	—	—	—	—	—	—	—
Rhubarb.....	0 1 6	—	0 5 0	—	AUSTRALIAN PRODUCE.										
Sal Ammoniac.....cwt.	3 10 0	—	—	—	Oil, Southern.....tun	25 0 0	—	30 0 0	—	25 0 0	—	72 0 0	—	70 0 0	—
Senna.....lb	0 0 9	—	0 2 0	—	— Sperm.....	—	—	—	—	—	—	—	—	—	—
— Turmeric, Java.....cwt.	1 2 0	—	1 7 0	—	— Head Matter.....lb	70 0 0	—	—	—	—	—	—	—	—	—
— Bengal.....	1 0 0	—	1 5 0	—	— Wool.....	0 1 3	—	0 5 0	—	0 0 4	—	0 0 6	—	0 0 7	—
— China.....	1 14 0	—	1 17 0	—	— Wood, Blue Gum.....ton	—	—	—	—	—	—	—	—	—	—
Galls, in Sorts.....	3 0 0	—	4 0 0	—	— Cedar.....	—	—	—	—	—	—	—	—	—	—
—, Blue.....	3 13 0	—	4 0 0	—											

## DAILY PRICES OF STOCKS, from 26 April to 25 May.

Apr.	Bank Stock.	3 Pr. Ct. Red.	3 Pr. Ct. Consols.	3 Pr. Ct. Consols.	3 Pr. Ct. Red.	N. 4 Pr. C. Ann.	Long Annuities.	India Stock.	India Bonds.	Exch. Bills.
27	—	87 1/8	87 1/8	96 1/8	96 1/8	103 103 1/2	19 1/2	230 1/2	51p	59 60p
28	209 1/2	86 1/8	87 1/8	95 1/8	95 1/8	102 1/2	19 1/2	229 1/2	50p	59 60p
29	209 1/2	86 1/8	87 1/8	95 1/8	95 1/8	102 1/2	19 1/2	229 1/2	47 50p	59 61p
30	—	86 1/8	87 1/8	95 1/8	95 1/8	102 1/2	19 1/2	—	47 48p	59 61p
May										
1	—	—	—	—	—	—	—	—	—	—
2	—	86 1/8	86 1/8	—	95 1/8	102 1/2	19 1/2	226 7	46 47p	57 59p
4	209 1/2	86 1/8	86 1/8	—	95 1/8	102 1/2	19 1/2	226 1/2	44 45p	57 60p
5	208 1/2	86 1/8	87 1/8	95 1/8	95 1/8	102 1/2	—	225 1/2	49 52p	68 72p
6	—	86 1/8	87 1/8	95 1/8	95 1/8	102 1/2	19 1/2	225 1/2	51p	68 70p
7	208 1/2	86 1/8	87 1/8	95 1/8	95 1/8	102 1/2	19 1/2	223 4	50 52p	67 69p
8	208 1/2	86 1/8	87 1/8	95 1/8	95 1/8	102 1/2	19 1/2	—	51	69 72p
9	—	86 1/8	87 1/8	—	95 1/8	102 1/2	19 1/2	223	48 50p	62 66p
11	208 1/2	87 1/8	87 1/8	—	95 1/8	102 1/2	19 1/2	—	—	65 67p
12	208 1/2	87 1/8	87 1/8	95 1/8	95 1/8	103 1/2	19 1/2	221 2	52 54p	65 67p
13	208 1/2	86 1/8	87 1/8	95 1/8	95 1/8	102 1/2	19 1/2	—	53 54p	65 67p
14	208 1/2	86 1/8	87 1/8	95 1/8	95 1/8	102 1/2	19 1/2	220 0 1/2	53 54p	66 69p
15	208 1/2	86 1/8	87 1/8	95 1/8	95 1/8	102 1/2	19 1/2	222 1/2	53 54p	60 70p
16	203 1/2	86 1/8	87 1/8	—	95 1/8	102 1/2	19 1/2	223 3/4	53 54p	68 70p
18	209 1/2	86 1/8	87 1/8	—	95 1/8	103 103 1/2	19 1/2	225 1/2	54 56p	68 70p
19	209 1/2	86 1/8	87 1/8	96 1/8	95 1/8	103 103 1/2	19 1/2	226 1/2	56p	68 70p
20	209 1/2	87 1/8	87 1/8	96 1/8	96 1/8	103 103 1/2	19 1/2	226 1/2	56 57p	68 70p
21	209 9 1/2	87 1/8	87 1/8	96 1/8	96 1/8	103 103 1/2	19 1/2	—	56 57p	68 70p
22	209 10 1/2	87 1/8	88 1/8	96 1/8	96 1/8	103 103 1/2	19 1/2	—	54 55p	68 70p
23	—	87 1/8	87 1/8	—	96 1/8	103 105 1/2	19 1/2	227 1/2	54p	68 70p
25	210 0 1/2	87 1/8	88 1/8	96 1/8	96 1/8	103 103 1/2	19 1/2	229 9 1/2	55p	67 70p

E. Erro, Stock Broker, 2, Cornhill, and Lombard Street

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